



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, SECOND SESSION

Vol. 154

WASHINGTON, WEDNESDAY, JUNE 18, 2008

No. 101

Senate

The Senate met at 10 a.m. and was called to order by the Honorable PATRICK J. LEAHY, a Senator from the State of Vermont.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by our guest Chaplain, Father Claude Pomerleau from the University of Portland in Portland, OR.

The guest Chaplain offered the following prayer:

Let us pray.

Merciful and gracious Father, may this day begin with an attentive, abashed silence in which we stop and humbly consider the many gifts You give us, the immeasurable mercy of Your love, the many opportunities we have to witness and celebrate Your creation.

We thank You for the challenges of this day. We thank You for the brains and hearts You give us to bring to bear on cruelty and brokenness. We thank You for the creativity and compassion You give us, so that we may craft policies that heal and elevate, that make room for the peace and joy that are Your greatest gifts to all.

Lord, be with us today. Be in this room, walk with us, strengthen our hearts, deepen our mercy, open our ears, overcome our weaknesses, guide our dreams, make us the instruments not of the small matters of men and women, but of the endless love that is You.

Most of all, today help us remember that our greatest charge is to craft a world in which the children of this Nation, and the children of every nation, can find the love and hope they deserve.

With humility, we bow before You and ask Your hand on our work. Amen.

PLEDGE OF ALLEGIANCE

The Honorable PATRICK J. LEAHY led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 18, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PATRICK J. LEAHY, a Senator from the State of Vermont, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. LEAHY thereupon assumed the chair as Acting President pro tempore. The PRESIDING OFFICER (Mr. CARDIN). The Senator from Vermont.

THE GUEST CHAPLAIN

Mr. LEAHY. Mr. President, this is a proud moment for our family. I commend our guest Chaplain, Father Pomerleau. For years I have called him "pere frere," which is French for my father brother. Father Pomerleau is my brother-in-law. He is the brother of my wife Marcelle Pomerleau Leahy.

It was in 1965 when Marcelle and I and Father Pomerleau's parents, Phil and Cecile Pomerleau, went to Rome for Father Pomerleau's ordination to the priesthood. I remember the thrill of our first trip abroad, but it was for such a special occasion. He said mass, his first mass, in the catacombs in Rome, something we will never forget.

Father Pomerleau received his bachelor's degree from the University of Notre Dame. He is a Holy Cross priest. They are the ones who run Notre

Dame. He received his masters there and got his masters in theology from the Gregorian in Rome and his doctorate from the University of Denver. He has been the rector of Saint George's in Santiago, Chile. He has been a professor at the University of Chile, presently a professor at the University of Portland, and is the religious superior for the order there.

I can go on forever reciting the long list of his accomplishments. More the way we think of him is this Sunday on Father's Day, he joined Marcelle and myself at our home, one of our sons, our daughter, son-in-law and daughter-in-law, and three grandchildren. We were watching the little grandchildren climbing into his lap saying: Uncle Claude, Uncle Claude, will you read us a story? That was part of his pastorage, too.

I am proud to have been able to introduce him. I thank the distinguished leader for letting me have this time.

I yield the floor.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER. The assistant majority leader is recognized.

SCHEDULE

Mr. DURBIN. Mr. President, following leader remarks, the Senate will resume the motion to proceed to consider H.R. 6049, the Renewable Energy and Job Creation Act, with Senators permitted to speak for up to 10 minutes each. There will be a period of morning business today from 2:30 p.m. to 4:30 p.m., with the majority controlling the first hour and the Republicans controlling the next hour. Senators will be permitted to speak for up to 10 minutes each during morning business.

Today we expect to be in a position to return to the House message to accompany H.R. 3221, the Housing and Economic Recovery Act.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S5707

Mr. President, I now ask unanimous consent to speak in leader time. The majority leader, Senator REID, is attending a funeral service for Mr. Tim Russert.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPUBLICAN FILIBUSTERS

Mr. DURBIN. Mr. President, this month the Senate Democrats have tried to confront many problems which face families across our Nation. From lowering taxes and addressing high gasoline taxes to ensuring quality health care for America's seniors and providing a helping hand to American workers who have been unemployed for more than 6 months, time and time again, the Senate Republicans have refused to give us an opportunity to address these issues. Republican obstruction has gone so far in the Senate that they will not even allow the Senate to debate legislation anymore, refusing to admit that these important concerns are worthy of Senate debate.

Yesterday, a new record was established in the Senate, one of dubious worth in the history of our Nation. But the Republicans have engaged now in 77 filibusters. The record previously for any 2-year session was 57. We still have another 6 months to go. The Republicans have now broken the record for the number of filibusters.

What is a filibuster? It is an effort to stop a bill, to stop a nomination, to stop debate, to make certain that the Senate will not engage in even debating the issues which the American people consider to be most important in their lives. And the Republicans have now broken the Senate record again with 77 filibusters.

It may not be news that they have broken the record. We knew this was coming, and I am sure their goal is probably 100 or more filibusters. So they will go down in history as being the most obstruction-oriented minority in the history of the Senate.

But this was a remarkable week. We will have had four filibusters in 8 days. What an amazing record. Republicans must point to that with pride—four filibusters in 8 days, one every 48 hours. They no longer seem content to stop legislation dealing with gasoline prices and Medicare for our seniors and trying to make sure we give unemployed workers across America enough money to feed their families. That is not enough. Now they refuse to even allow us to proceed to the legislation to debate it. They are so frightened by the prospect of an open debate with deliberation and amendments, they consistently vote against even engaging in debate.

In a little more than a week, the Republicans have blocked motions to proceed and debate the Consumer-First Energy Act, the Medicare Improvement Act, and the Renewable Energy and Job Creation Act, not once but twice.

Upon the conclusion of my remarks and the pending remarks of Senator

McCONNELL from Kentucky, the pending business before the Senate will be the motion to proceed to the Renewable Energy and Job Creation Act. We tried for the second time yesterday to bring this legislation to the floor so we can have a debate.

What is so controversial about this bill that the Republicans would filibuster it not once but twice to stop the Senate from even considering this bill? This bill passed the House of Representatives last month by a vote of 263 to 160. Thirty-five House Republicans voted for the measure using the Tax Code to help reduce record energy prices across America.

What will this bill do? It extends expiring tax provisions that we need to encourage the development of sustainable, environmentally sensible renewable energy sources—solar, biomass, geothermal, hydropower, and wind.

In my home State of Illinois and many States across the Nation, these tax incentives have led to the development of wind farms, generating electricity without pollution, providing the energy we need for our economy to grow without endangering the planet on which we live.

When we said it is time to renew these tax incentives, let's make this part of our national effort, let's extend these tax provisions, create more incentives for the development of this energy, the development of new businesses, much needed American jobs, the Republicans said no. Let me be fair about that. Not all of them said no. Five Republicans yesterday voted to move forward on this bill, enough for them to say back home they are on the right side of history, but calculated in a way so there were never enough Republican votes to actually go to the measure. Five—Senators COLEMAN, COLLINS, CORKER, SMITH, and SNOWE joined all the Democrats present. We had 53 votes at the end of the day. We needed 60.

This is not an accident that enough Republicans crossed over to be able to say back home that they are doing the right thing for energy development, but not enough to actually move to the bill and debate. It has been a calculated strategy, and it has worked.

The Republicans time and again in the Senate have stopped us from considering measure after measure. They are determined that at the end of the day, this Senate, if they have their way, will accomplish little. They know they were branded in the last Congress as a do-nothing Congress. They are determined to stop us. In a closely divided Senate, 51 to 49, it is easy for them to hold back enough Members to stop us from taking up important measures for America.

Let me tell you what this bill would have done, the bill the Republicans opposed and used their filibuster and their votes to stop. It would have extended incentives for biodiesel fuel usage. Of course, that uses vegetable oil to supplement diesel fuel to reduce

our dependence on Middle Eastern oil. They voted no.

E85 gas pumps so that ethanol would be available in more cities across America so we can use this homegrown fuel and have less dependence on foreign oil. And the Republicans voted no.

Hybrid car purchases, a tax credit to families who buy hybrid cars, plug-in hybrids, for example. We know that is the wave of the future. We want to incentivize that market. The Republicans voted no.

The bill would have provided \$3 billion in tax credit bonds to State and local governments so they can take energy conservation measures with their infrastructure.

It supports the creation of hundreds of thousands of good-paying American jobs right here at home, and the Republicans voted no.

In addition, the bill extended the R&D tax credit which provides critical incentives to over 27,000 companies in America.

And finally, this bill would have helped a lot of American families by lowering taxes, property tax relief. I can tell you that in my State of Illinois, I hear about it wherever I travel—property taxes are too high. People need a helping hand. But the Republicans voted no.

We wanted to expand child tax credits for parents with young children, college tuition deductions for parents with older children, a deduction for classroom expenses for teachers, tax relief for our troops in combat under the earned-income tax credit, and State and local sales tax deductions for families who live in States that have no income tax—all of that tax relief for working families across America. The Republicans voted no. And to top it off, we did something that, frankly, may be new to the Republican leadership: We paid for it. We didn't put these tax cuts in at the expense of the American deficit. We didn't add to the American debt, not like this war President Bush has now waged for 5½ years, which he has failed to pay for, just adding it to the debt of our children. We paid for these tax measures by requiring hedge fund managers to pay taxes on compensation that is sitting overseas and delaying a new business tax benefit that hasn't gone into effect. But to protect businesses overseas and their workers, the Republicans voted no. They voted no when given a chance for tax breaks for working families and said, instead, they wanted to protect these businesses overseas.

Why do they refuse to even debate this bill? Let's be honest about it, we are going to need their support to pass it. They are going to have their day in court, if the bill comes to the floor. They are going to be able to offer amendments and deliberate.

Senator BAUCUS has proposed a substitute that would do the things the House would do in their bill and provide even more relief for businesses and families, including taking care of the

alternative minimum tax for another year. Why do they refuse to even allow these amendments to be offered?

I have heard from some of the largest businesses in my State—Boeing, Caterpillar, John Deere—and they want this bill, not to mention smaller businesses that rely on these energy tax credits to expand their reach of new jobs and opportunities in my State. I know families in my State want to see this passed, particularly those who are battling with the price of gasoline, the price of utilities, and those with younger college-age children who would benefit from child or tuition credits. But the Senate Republicans have chosen obstruction instead—77 Republican filibusters so far, and counting.

This isn't the only debate Senate Republicans have denied us and denied the American people. Last week, they filibustered our efforts to debate the Consumer-First Energy Act, which begins addressing the root causes of increasing gasoline prices. Gas and diesel prices are 2½ times what they were when President Bush took office, and at the same time the profits of the five largest integrated oil companies have more than quadrupled over the past 5 years, to \$116 billion in 2007. Total oil industry profits were \$155 billion. Many of us believe these oil companies must be held accountable. And if we don't hold them accountable, the prices will continue to increase. The bill that the Republicans stopped last week would have rolled back a \$17 billion Federal subsidy to these oil companies. How can we possibly explain or rationalize taking \$17 billion out of our Treasury at a time when we are facing record-breaking deficits, a war that costs us \$15 billion a month—not paid for—and giving it as a subsidy to the most profitable businesses in the history of America, the oil companies? I don't understand it. I would have loved to have heard that debate on that amendment. We didn't get a chance because the Republicans filibustered and refused to produce the votes we needed to bring this measure to the floor.

We also wanted to create a windfall profits tax so that some of the excessive profits of these oil companies would be reinvested in America in clean, renewable fuels and expanded refinery capacity. The Republicans voted no.

We wanted to protect consumers from price gouging. The bill would give the President the authority to declare an energy emergency and set an "unconscionably excessive price" limit that would be enforced so that consumers would be protected. Of course, the Republicans voted no.

We wanted to set limits on oil market price speculation, preventing the traders of U.S. crude oil from avoiding the law and routing their transactions to offshore markets. Speculation is part of the reason the price of a barrel of crude oil is so high. Most people understand that if we can stop excessive

speculation and manipulation, it will bring down the price of oil and the price of gasoline. The Republicans voted no.

We want to send a clear message to OPEC that we will allow enforcement actions against any company that is colluding to set the price of oil, natural gas, or petroleum products. That is a bipartisan measure. Senator KOHL of Wisconsin is the one who offered it, but Senator SPECTER joined him. Senator MCCONNELL came to the floor and called that provision ludicrous, in his words, and then the Republicans followed his lead and voted no.

The Consumer-First Energy Act would have prevented price gouging, profit taking, and redirected money away from industry and into renewable energy and expanded refinery capacity. But once again the Senate Republicans preferred a filibuster to a real debate. Their answer to all of these issues—drill, drill, drill. We will find enough oil to take care of America. They ignore the obvious: The United States has within its grasp or reach maybe 4 or 5 percent of the entire known oil reserves in the world. Every day, every week, every month, every year, we consume 25 percent of the world's oil. We cannot drill our way out of this. How many times will the Republicans and the President and Senator JOHN—well, sorry, I shouldn't refer to Senator MCCAIN in this context—how many times will the Republicans and the President say that the answer to all our prayers when it comes to the price of gasoline is a little patch of real estate in the Alaskan Arctic National Wildlife Refuge—1.5 million acres—yet failing to say that it will be years before anything can be produced there and will have a limited impact on the price of gasoline?

Last week, Senate Republicans also filibustered consideration of an effort to improve the quality of health care for our seniors—the Medicare Improvements for Patients and Providers Act, supported by the AARP, the American Medical Association, and many others.

What we are trying to do is stop an effort by the Bush administration to cut the reimbursement to doctors who treat Medicare patients. That reimbursement is to go into effect July 1. We want to make sure doctors continue to provide quality care to our seniors and disabled. The bill would have moved us also toward mental health parity by phasing out high copayments for mental health services, ensuring that seniors and those with disabilities receive Medicare. Finally, it would have made it easier to add preventive services to Medicare and address disturbing reports of abusive and fraudulent sales and marketing practices by the Medicare Advantage plans. These are private insurance companies, charging more than Medicare and making a handsome profit, which are being protected by many in the Senate. They should be held accountable, too, particularly when they engage in abusive

and fraudulent practices. We have that looming deadline in less than 2 weeks, with many doctors facing a drastic cut in Medicare reimbursement, but the Senate Republicans used the filibuster again and said no, they would not even allow the Senate to debate.

Finally, yesterday the Senate Republicans objected to the passage of the Emergency Extended Unemployment Compensation Act of 2008. That measure passed in the House 274 to 137, with 49 House Republicans—a bipartisan measure. When economic conditions have deteriorated in the past five decades, Congress has routinely provided extended unemployment benefits—1958, 1961, 1972, 1975, 1982, 1991, and 2002. It was routine and bipartisan.

Over the first 3 months of this year, the U.S. economy has lost a total of 232,000 jobs, and the total number of unemployed in our country has grown by 1.1 million workers over the last year. The unemployment problem is especially severe for the long-term unemployed, who have been looking for work for more than 6 months. In the 1990 recession, the long-term unemployed comprised 9.8 percent of all workers. In the 2001 recession, 696,000 workers were unemployed, representing about 11 percent. In May of 2008, there were 1.6 million American workers unemployed for more than 6 months. That represents nearly 18 percent of all unemployed workers. Their unemployment insurance benefits are not only the right thing to do for these workers, they are the best thing we can do for the economy. Putting this money in the hands of an unemployed family means they will be able to pay their rent, pay their utility bills, buy clothes for the kids, and the necessities of life. It is money that will create economic growth in America.

Sadly, the Senate Republicans said no. They believe giving unemployment benefits to people who have been out of work will discourage them from looking for work. They want to starve them into their next job. That doesn't make sense. It has never made sense. On a bipartisan basis, we have said we are going to stand by these families, that we are going to make sure they have food on the table and that they can take care of themselves until they do find that job. But the Republicans used their filibuster to vote no.

I understand this morning that the minority leader may come here and make an attempt at a political "get well" card. He knows many of his Republican Members have come to him and said they do not like to continue to vote no. I think they are starting to feel the pain of being the filibuster party. They know they may be filibustering themselves right out of their Senate seats. So a unanimous consent request will be made. Unfortunately, it has no hope because it doesn't go to the substance. We had an opportunity yesterday to bring these measures up, and the day before. If they would have just sent over a half dozen or maybe

nine more Republican Senators, we would be debating the very bills they are now going to ask us to turn to.

So I urge my colleagues on the Republican side of the aisle, don't become the filibuster party. Become a party that is willing to work on a bipartisan basis to solve our Nation's problems.

Mr. President, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

HIGH GAS PRICES

Mr. McCONNELL. Mr. President, high gas prices continue to frustrate the American people, and so I think it is important that Congress show we are fully engaged on this issue and ready to help in any way we can. Unfortunately, that means the parties will have to come together on a solution, something our friends on the other side seem, at least so far, stubbornly unwilling to do.

The commonsense solution to this problem, we all know, is a combination of energy exploration in the United States to bring down prices in the short term married to a long-term strategy of energy independence through development of clean energy technologies. If we are going to help Americans in the short term, obviously we need more American energy now, but our friends on the other side don't want to hear it. They think Americans should get used to \$4-a-gallon gasoline.

Asked last week about the sudden spike in gas prices, the Democratic nominee for President said he would have preferred a gradual adjustment. As I have said several times, and others have, I don't think that is the common view in the United States, and I want to give my colleagues on the other side one more opportunity to say that, in their view, Americans shouldn't have to get used to \$4-a-gallon gasoline. I haven't heard a single one of them say so yet, but I can't imagine they agree with their nominee that what Americans really needed was a gradual adjustment to \$4-a-gallon gasoline.

FISA LEGISLATION

Mr. McCONNELL. Mr. President, on another issue, Senator BOND reports that the FISA discussions have yielded a rough compromise that may be acceptable to the DNI, the White House, and the chairs and ranking members of the Intelligence Committees. Because the House leadership has denied a majority of House Members a vote on the acceptable Senate-passed bill last year, the burden remains on House leaders to prove they are capable of passing FISA legislation that the President will sign.

UNANIMOUS-CONSENT REQUEST— S. 3118

Mr. McCONNELL. Mr. President, I just listened to my good friend the ma-

jority whip spend considerable time this morning complaining about obstruction and delay, so, as I indicated to him in advance, I am going to give him a chance to move forward, if they will just take yes for an answer.

Therefore, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 776, S. 3118, a bill to preserve Medicare beneficiary access to care, that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Mr. President, the Senate Republicans had their chance last week to move to any measure relative to Medicare and they chose instead to filibuster and to fail to produce enough votes to move to the debate. This effort here is simply trying to create a political "get well" card for those who voted wrong, and I object.

Mr. McCONNELL. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Republican leader.

Mr. McCONNELL. Did I hear an objection?

Mr. DURBIN. I object.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS-CONSENT REQUEST— 18-MONTH EXTENSION

Mr. McCONNELL. Another option we could pursue on a bipartisan basis is to do what we did last December, which is pass a 6-month extension on a bipartisan basis. So maybe we can simply extend existing law for 18 months, the 18-month period being the one we had been discussing before the bipartisan talks broke off.

Therefore, I ask unanimous consent that the Senate proceed to immediate consideration of a Senate bill, which I will send to the desk, and is a clean 18-month extension of the December Medicare bill. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. McCONNELL. Mr. President, our greatest successes in this Congress have come when both sides work together. We have seen it many times, from last year's Energy bill to the economic stimulus package. We started down the same path when we began the Medicare discussion a few months ago. Both sides wanted to prevent cuts to physicians in the Medicare Program, preserve access to the quality medical

care our seniors have come to depend on, and improve the program with things such as electronic prescribing. Unfortunately, the majority walked away from these bipartisan discussions. With the deadline for action approaching at the end of the week, frankly, we need to pass a bill.

I am willing to consider many different options. Senator GRASSLEY drafted a bill that would protect Medicare benefits for seniors and that could be signed into law by the President. It should be passed today in the Senate, but the majority has passed on an opportunity to do that.

I am going to resist the temptation to launch into a speech like my good friend from Illinois about how many times legislation has been blocked by the minority. I think the finger-pointing at this point on this bill is ridiculous. We have a couple of weeks to pass it. We need to get together and pass it.

If the other benefits and improvements to Medicare are unacceptable to the majority, my side is willing, as I suggested a few moments ago, to extend the bill passed in December of last year for 18 months, with a 1.1 percent update for 2009. It was acceptable enough to pass 6 months ago by unanimous consent, so it should be acceptable enough now. It is critical we prevent these cuts from taking effect. This bill would do that. The majority, unfortunately, has objected to that path.

It is some cause for confusion. I thought our friends on the other side were interested in preserving seniors' access to physicians from being compromised. As physicians face a 10.6 percent cut in Medicare reimbursement, we need to be working together. I know I speak for myself as well as Senator GRASSLEY when I say we remain hopeful that the majority will stop playing partisan politics and return to the negotiating table so we can quickly pass this much needed legislation.

UNANIMOUS-CONSENT REQUEST— S. 3098

Mr. McCONNELL. Finally, I notified my friend on the other side I also wanted to ask consent that the Senate proceed to the immediate consideration of Calendar No. 771, S. 3098, a bill to extend expiring tax relief. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. McCONNELL. That was the extender package, the McConnell-Kyl-Grassley package. That includes the 1-year AMT patch omitted by the House bill that we had a vote on yesterday and extends the provisions that expired in 2007 for 2 years. This is a 1-year

longer extension than in the House bill we had the vote on yesterday.

S. 3098 does not include any tax hikes, reflecting the position 41 Senators took in a letter to Senator BAUCUS on April 23 of this year.

Our Republican alternative also includes the Ensign-Cantwell energy tax incentives, which were approved by the Senate earlier this year, 88 to 8.

In addition, S. 3098 does not contain the New York City earmark. It also does not contain the tax break for trial lawyers. It also does not contain Davis-Bacon expansion. And it also would not be vetoed by the President.

On balance, this is a bill that could pass the Senate and get signed by the President. We hope to pass it as soon as possible.

Let me conclude my remarks by saying that my good friend on the other side of the aisle and I both know how we pass these bills—we pass them together. As he frequently said when he was in the minority and in a position similar to mine, we are not the House. We are the Senate. It is not going to work to turn the Senate into the House. We all know that. Both sides have tried it. We have been in the majority and the minority, and the minority always insists they be part of the process.

We have two important bills here that clearly need to be completed. We all know how to get there—bipartisan negotiation on the Medicare bill and bipartisan negotiation on the tax extender bill.

I yield the floor.

The PRESIDING OFFICER. The assistant majority leader is recognized.

Mr. DURBIN. I wish to say a word in response to my earlier objections and note the bill related to Medicare, presented by the Senator from Kentucky, the Republican minority leader, failed to include critical provisions that we had in our earlier legislation.

Our legislation would have provided financial assistance to low-income Medicare beneficiaries who cannot afford Medicare premiums and it would have finally moved us forward on the issue of mental health parity. This is an issue that is long overdue. There are millions of American families who are struggling with mental health issues. They understand that the high copayments for mental health services in effect deny service to a lot of those who cannot afford them. We wanted to address that in the bill. We thought it was a priority. The Senator from Kentucky in his measure they brought before us did not include that, and that is unfortunate.

I say to the Senator from Kentucky, I believe in the battle of ideas on the floor of the Senate. Looking back, in the time I have been here I have lost a lot of amendments on the floor. I have come here, brought the amendments, debated them, subjected them to a vote, and lost. But it was a fair fight. People spoke on both sides of the issue. The Senate spoke. That is how it

should be. If the majority prevails, then we move forward. That is the only way this body can work.

But the Republicans have now taken a new approach and that approach is: We will not debate issues. We will not deliberate them. It is a take-it-or-leave-it situation. Seventy-seven filibusters have been used now. They are stopping this Medicare bill. Then when they realize how bad it looks back home—when they know they cannot explain it to seniors and disabled when the doctors who treat them say we are about to take a 10-percent pay cut and I may not be able to see you—they understand it is hard to explain that vote. So then they come to the floor and make a unanimous consent request to say let's drop in a bill and take care of the whole problem.

That is not the way the Senate works either. We don't want to turn the Senate into the House, but the Republican strategy is turning the Senate into a ghost town. We don't do anything here. We have procedural votes three or four times a week and then go home. If those in the Senate were paid on the basis of debate, deliberation, amendments, bills passed and that kind of effort, we would not earn a minimum wage around here because we never get to the substance anymore. There were 77 Republican filibusters so far, the latest on the energy issue.

For the Senator from Kentucky to come forward and say the reason we could not support the idea of moving forward on these energy tax credit extenders was because they involved a tax—do you know who was going to pay that tax? Companies that locate overseas, American companies that go overseas trying to avoid our taxes would have been subject to more taxes. The Senator from Kentucky is saying 41 of his members have taken a solemn pledge not to raise the taxes of those American companies that go overseas to avoid paying American taxes. How about that? Is that what we need in America, more incentives to take jobs offshore?

Senator BAUCUS in the Finance Committee had a reasonable approach to this, taking that money and putting it back into America for tax breaks for our families and to encourage energy production for our future, and the Republicans voted no—time and again they vote no. But the American people will have a final vote on November 4. They will remember the party that is trying to move forward an agenda to make this a better nation and they will remember the party of filibusters that votes no.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

RENEWABLE ENERGY AND JOB CREATION ACT OF 2008—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 6049, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 767, H.R. 6049, to amend the Internal Revenue Code of 1986 to provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief, and for other purposes.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE RISING COST OF ENERGY

Mr. CHAMBLISS. Mr. President, I rise to discuss once again the rising cost of energy for Georgians and all Americans. My constituents continue to suffer due to the ever-increasing price of fuel. They are facing very difficult choices—between food and gasoline—between driving to work to earn money for their families and driving to the grocery store to feed their families.

I would like to take just a moment to read some of the letters I have received from my constituents that I think shed light on the real-world impact high gas prices are having on all Americans:

Mr. John Broomfield from Lawrenceville writes:

We are conserving, recycling, buying compact fluorescent lamps, driving less and slower, but we cannot do this alone. You in Congress must have the foresight and vision to pass policies that will actually help us. Please make it possible for our oil and energy companies to search for and extract our own natural resources. No matter where they are!

Mrs. Betty Byers from Marietta writes:

Dear Senator CHAMBLISS,

I appreciate all you can do to help develop a program that will allow the exploration of our country's energy sources without materially affecting our environment. We need to break away from relying on other countries (even our enemies) for our energy supplies. The rising price of gasoline is hurting ALL Americans. PLEASE—put our families first before environmentalists. We are all hurting from the rising cost of gasoline. Please do something ASAP.

I was pleased to hear yesterday both President Bush and Senator MCCAIN highlight their support for oil and gas leases in the Outer Continental Shelf. I think their public support for this effort will raise the profile of this important way in which Congress can act to help increase our supply of oil and gas to help lower gas prices for all Americans.

Is this the only answer? Absolutely not. But certainly this is the right direction to go.

The Department of the Interior released a comprehensive inventory of

OCS resources in February 2006 that estimated reserves of 8.5 billion barrels of oil and 29.3 trillion cubic feet—tcf—of natural gas. Congress has imposed moratoria on much of the OCS since 1982 through the annual Interior appropriation bills.

Some contend that lifting the moratoria would pose unacceptable environmental risks and threaten coastal tourism industries.

First, that is simply not true. In 2005, we suffered significant damage in the gulf coast region of our country as a result of Hurricanes Katrina and Rita. Yet off the coast of Louisiana, off the coast of Mississippi, off the coast of Texas, off the coast of Alabama, where Hurricane Katrina came through, we saw not one drop of oil spilled even though there are hundreds and hundreds of oil-producing platforms in that region of the gulf.

I come from a coastal State. There is nothing I would ever do that would in any way endanger the pristine beaches in my State or the coastal regions of any other State. But, simply stated, we now have the technology in place to ensure that type of thing never happens.

Second, we can do this in a way that ultimately lets the individual coastal States decide whether or not to opt out of this moratorium. So instead of politicians in Washington dictating what will happen off the coast of my home State of Georgia, the people of Georgia and the Governor of Georgia will get the ultimate decision. I am hopeful the Senate will come together to take this first step to increase our supply.

Would I like to see more development? Sure. I support the development, not just of the OCS but in other regions of our country too, where we know we have vast resources of energy. We need to make sure that when we do explore, we do it in the right way, that we do nothing that will endanger the environment of any part of our country. But we do have the technology to make sure that happens—whether it is on the Outer Continental Shelf, whether it is in the shale of the Rocky Mountains, or whether it is in the ANWR region of Alaska or other areas of this country where geologists are fairly certain that we do have additional resources. This will add to the supply we have so that, long term as well as short term, we can see gas prices in this country stabilize and hopefully begin to come back down to something more reasonable than what we are looking at today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

DIESEL SUPPLEMENTAL ENVIRONMENTAL PROJECTS BILL

Mr. CARPER. Mr. President, I am pleased to be here on the Senate floor this morning with my colleague from Ohio, Senator VOINOVICH. I want to reflect on what Senator CHAMBLISS just spoke about with respect to energy.

There are a wide variety of things we need to do: create biofuels, conserve

energy. I think we need to incentivize a greater reliance on alternative and renewable forms of energy, including solar, wind, and geothermal. I believe we need to incentivize—and we are incentivizing—a new generation of nuclear powerplants in this country. Nine applications are in. We expect another 30 or so over the next couple of years, a wide variety of things: plug-in hybrid vehicles, very low emission diesel engines, and the list goes on and on. We do not need any one of them. We, frankly, need to do almost all of them.

One of my colleagues, one of the people I most enjoy working with in the Senate, is a former Governor from Ohio. We worked together for many years in the National Governors Association. Now I have the pleasure of working with him in the Senate.

Among the issues we worked on, we served together on the Environment and Public Works Committee. He came to me about 3 years ago and said: Let's talk about diesel emissions.

I said: OK. And I said: What do you want to say?

He said—I will paraphrase what he said: There is good news and bad news about diesel emissions.

I said: What is it?

He said: The good news is, diesel engines last a long time.

I said: OK.

Then he went on to say, and the bad news is, diesel engines last a long time. The old diesels we have on the road today, and most of the diesels we have on the road are old diesels, and there are millions of them. They are in trucks and buses and ships. They are in locomotives. But mostly, though, diesels put out a lot of bad emissions, bad stuff, that we end up breathing.

What Senator VOINOVICH came up with in 2005—he was good enough to let me be the lead Democrat on the legislation—was the proposal that says: Why do we not create a grant program, through EPA, that provides incentive money for State and local governments, for school districts with buses, for private truck companies and so forth, to incentivize them to begin to use new technology that goes into the diesel engines and reduces diesel emissions by as much as 80, 85 percent?

I said: That sounds like a great idea. I would be pleased to be your Democratic lead sponsor. A number of others ended up joining us. I think that Senator CLINTON was among them. But there were a variety of Republicans and Democrats who joined us.

I remember going to a press conference with Senator VOINOVICH about 100 yards from where we are today. We introduced the legislation that day. The next week there may have been a hearing—there may not have been a hearing. The next week after I think the legislation passed the Senate. Within a month or so, it was the law. I have never seen legislation move so quickly in my life.

We were here earlier this morning with one of the earlier discussions on

the floor talking about filibusters and how our Republican friends are slow walking legislation, something that we were accused of doing when they were in the majority years ago.

But it is wonderful to have an example, once 3 years ago, with the passage of the Diesel Emission Reduction Act, and more recently with a change to the act which actually makes it even better, to see that we can still work together, we can set aside our partisan differences, Democrats and Republicans can find common ground, actually address our problems and resolve them.

So that sort of sets the stage for today. I think each of us is going to be recognized for 10 minutes, and when I run out of time, I may ask for a little bit of extra time if there is not a press of colleagues who want to come to the floor.

But let me start off by laying the groundwork and to say a special thank-you to our colleagues in the House of Representative and in the Senate for passing S. 2146. It is a bipartisan bill that gives EPA the authority to accept, as part of air quality settlements, diesel emission reduction supplemental environmental projects.

What does that mean? That means, when EPA enters into some kind of enforcement action against a polluter, for example, and out of that enforcement action comes a requirement for the polluter to pay certain fines or charges, the idea is, how can that money be used by EPA?

We want to make sure that money can be used by EPA to further reduce diesel emissions; to install this technology, diesel emissions reduction technology, in buses, in trucks, in all kinds of emitters of pollution of diesels. So we ran into a problem with this over the last couple of years.

Today—actually yesterday—the legislation was passed. We resolved that problem. I also wish to thank some of our colleagues—Senators INHOFE, CLINTON, CARDIN, ALEXANDER—for joining Senator VOINOVICH and me on this latest version of this legislation.

This is a small bill. This is a small bill with big consequences, big consequences for jumpstarting the effort to clean up our Nation's diesel vehicle fleet and making our air cleaner and toxin free. Like a number of our colleagues, I am a strong advocate for diesel engines, clean diesel engines. They are powerful, they are fuel efficient, and with the implementation of EPA's new fuel and engine regulations, they will also be a lot cleaner. However, dirty diesel emissions can be deadly. Reducing emissions from diesel engines is one of the most important air quality challenges facing our country. This week we are going to do something about it.

EPA estimates there are some 11 million diesel engines in America that lack the latest pollution control technology. When diesel engines are built today for cars, trucks, buses, and so

forth, they are required to have the latest technology. The fuel they use is very low in sulphur content today, so we end up dramatically reducing the kind of damage and threat to our public health.

But there are 11 million old diesels out on the road, and they are going out on the road for a long time. Taken together, these engines produce something like 1,000 tons of particulate matter every day. I will talk a little bit more about particulate matter in a moment.

As a result, dirty diesel emissions are linked to some 21,000 premature deaths, hundreds of thousands of asthma attacks, millions of lost workdays, and numerous other health impacts every year. In fact, diesel soot is linked to more premature deaths in this country than firearms, HIV, or drunk driving. The risks are nationwide, but they are especially high risk in urban areas.

I have a chart here. Let me see if I can point out a couple of things. First of all, here is Ohio. Here is Ohio, where I went to Ohio State University, along with my colleague, GEORGE VOINOVICH. Here is Cleveland, OH, where Senator VOINOVICH is from. This is dark red. This is dark red. In fact, much of Ohio is dark red.

Over here is Delaware. Delaware is in an area of our country which is dark red. If you look down at the color code, there from the lowest impact, which is pink in color, to the highest impact, which is like a dark red color. For Nebraska, our Presiding Officer's State, it is looking pretty good, part of it in the pink.

But what we want to make sure is that the whole country is in the pink; not in the dark red, not in the red, not in the dark pink. We want to make sure it is in the light pink. What that means is healthier air for us to breathe for us and our families.

Why is diesel so toxic? Let me take a moment to show this. This is a diesel particle. It looks big, doesn't it? But in reality they are very small. You cannot even see them with the eye. But we breathe them, nonetheless. The fact is, as we walk about Washington, DC, or wherever we live, we probably breathe some of these little babies as well.

But at the core is something called elemental carbon. Around that core are organic carbon compounds. Around that, in the yellow here, secondary sulphate and nitrate. Surrounding them are metals. Then surrounding that on the outer core are toxins.

Diesel exhaust is a mixture of vapors and fine particles. The small particles have a core of carbons, as I pointed out, with a layer of toxins, many of which can cause cancer.

Here we have a picture of the lungs—in fact, two lungs. We have in fine detail—some of this matter is hard to tell. This is called the alveoli. That is where the oxygen that we breathe in is actually transferred into the blood system. And when these particles get down this far, they get into the blood system. That is what causes cancer.

But the fine particles can get deep into our lungs to cause inflammation. They cause scarring of the lungs, and some of that leads to bronchitis. It can lead to asthma. But when they get down into the bloodstream itself, they get spread all over the body and cause lung cancer and spread cancer to other parts of our bodies.

If that were not enough, these carcinogens can cause not just cancer but death. And some of the 21,000 people who will die this year will die not from bronchitis, not from asthma or asthma attacks, but they will die from cancer. This is why poor air quality, caused by old, dirty diesel engines, can lead to higher than average cancer rates for those living along heavily traveled interstates, highways such as Interstate 95 which stretches all the way from Maine in the north down to Florida. It runs right through my State of Delaware and a bunch of other States, too, on the east coast. And what we have—notice this curve—what we have is the zone of greatest exposure.

When you have a highway such as I-95—or it can be Interstate 70 or any other interstate or densely traveled highway, especially one with a lot of buses and trucks on it, what you see is a concentration of diesel exhaust right around the highways. And the threat to our health is the greatest for those who travel the highways or live or work in the near proximity of those highways.

That is the bad news. Here is the good news. The good news is we now have the pollution control technology to greatly reduce these deadly diesel particles and therefore greatly impact human health.

In 2004, the EPA began to address these public health concerns by requiring that all new heavy-duty highway diesel vehicles had to install pollution control technology starting in 2007. We also changed the law with respect to sulphur content. It is 15 parts per million sulphur fuel that is sold, I think, after last year. It began last year. They had to reduce the sulphur content rather dramatically.

However, this ruling is a problem because it does nothing for the millions of diesel engines that are already on the roadways, as I said earlier. Reducing diesel emissions in the current fleet could save an estimated 100,000 lives between now and the year 2030.

In response to what the EPA did in 2004, Congress passed the Diesel Emission Reduction Act, which Senator VOINOVICH introduced, and was good enough to let me and others join him in doing that. That program, again, established the voluntary national and State grant loan program to clean up some of those old diesel engines in buses and trucks and trains and ships.

Our intention was to build upon a program that EPA already had in place which allowed air quality polluters to fund diesel cleanup programs as part of their settlement with EPA.

For example, in October of last year, EPA reached a settlement agreement

with a company called American Electric Power. As part of that settlement, American Electric Power will spend about \$21 million retrofitting diesel engines with pollution controls. In fiscal year 2008—that is the year we are in right now—Congress appropriated \$49 million to help fund the Diesel Emission Reduction Act.

So we had, on one hand, a settlement with American Electric Power, a \$21 million settlement, the moneys of which were to be used for diesel emission reduction technology. Then we provided an appropriation in 2008, \$49 million, to help fund the same program.

Put that money together, I think it adds up to about \$70 million. That is enough money to have a significant impact on diesel emissions and to improve our air quality.

Unfortunately, EPA determined that if Congress funds through an appropriation the Diesel Emission Reduction Act grants, EPA could no longer accept diesel projects as part of air quality enforcement settlements. They could not use the \$21 million they got in the settlement from American Electric to also help fund the program.

There is enough need. We could spend 10 times the amount of money we appropriated to help clean up diesel emissions. The need is huge. There are 11 million vehicles. We could spend money for a long time, and a lot more money than we are appropriating. But the idea of having \$70 million versus \$49 million is a big thing. We want to make sure we have and use the money from these settlements. So it does not make much sense to me or to Senator VOINOVICH.

The EPA said: Sorry, our hands are tied. We think this is the law, and we have to abide by it. What this bill does is it corrects the unintended consequence of successfully funding the Diesel Emission Reduction Act. As a result, we are going to be able to use settlement money. We are going to be able to use money that we appropriated for diesel emission reductions. We will be able to use the combined amount; parcel it out to States for grants and for loans and to get diesel emissions down and under control.

The House amended our bill and said: We want to add the District of Columbia to the 50 States that can participate in this grant program established by the Diesel Emission Reduction Act.

Let me close by saying, I do not think there is a silver bullet to reduce the environmental risks that lead to cancer, that lead to asthma, or to death. But cleaning up emissions from our Nation's diesel fleet is certainly a positive step. It is a diesel fleet that can help us use more judiciously the resources that we have in this country, to use them more wisely but to be able to use that diesel engine in a way that doesn't threaten our health. That is a very good thing.

In closing, I thank Senator VOINOVICH for the terrific leadership he

provided over the years on this particular subject and for allowing others to work with him, to enact the Diesel Emissions Reduction Act and then to join me in coming back and saying the unintended consequence, where the EPA couldn't spend the settlement money and appropriations to finance diesel retrofits, that we had to take care of that. They can spend them both and reduce emissions.

Senator VOINOVICH and I sometimes lament how difficult it is to get anything done around here. On a day such as today, when it is a beautiful day outside, clear skies, beautiful day, walking from the train station, walking right up Delaware Avenue, seeing the Capitol at the top of the hill, the green trees, blue skies, the sun shining, it was beautiful. We wish to make sure that more days look like today, not only in Washington, DC, but all over the country, that the air is safe to breathe.

With this legislation, it will be a lot safer for years to come. I salute my friend, Senator VOINOVICH, for helping make it happen.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VOINOVICH. Mr. President, ordinarily I don't come over and speak in morning business. As so with many Members of the Senate, I could be at three places at the same time and justify each one of them. I came today because of the fact that our colleagues and the citizens of this country need to know there are many instances where both Republicans and Democrats can come together and get something done. I have been very fortunate over the years to know the Presiding Officer, a former Governor, to know Governor Carper, now Senator CARPER. We worked together in the National Governors Association. I think sometimes we were more effective as Governors getting things done than as Members of the Senate.

The fact is, we came together a couple of years ago and realized that one of the most significant sources of pollution, in terms of particulate matter, were emissions from diesel engines. As Senator CARPER pointed out, we now have new vehicles on the road that are much cleaner than anything we have seen before. We also knew there were some 11 million on- and off-road vehicles that would be around a long time and that if we were going to make significant improvement in reducing emissions from diesel engines, we needed a new program. We got together and supported the Diesel Emissions Reduction Act, a bipartisan bill. We must have had 25 or 30 sponsors, over 150 groups supported it. That was the fastest bill I have ever seen passed around here. I think we had it done in 45 days.

The program today is currently supported by over 250 environmental, in-

dustrial, and public interest groups. When DERA was announced, the EPA estimated the 5-year program, \$200 million per year, would achieve \$10 billion in health benefits. Senator CARPER has done a very good job of talking about how these particulates are harmful. As a matter of fact, I am going to check into a program that is being funded by the EPA in Cincinnati, where they are measuring the impact of diesel engines on infants in urban areas. Preliminary information I have received indicates it is a very serious problem. Anything we can do to deal with reducing these emissions is significant. In addition, we talk about doing something about pollution. This legislation, if fully funded, will result in the most significant reductions of particulates of any program in the country. It will help communities, such as mine in Ohio and others around the country, to meet new requirements that have come out for ozone and particulate matter.

The need for this program from fiscal year 2003 to 2005 was great, but EPA was only able to fund 25 percent of the applications under the Clean School Bus Program. A lot of school buses need to have this kind of technology. Without it, they are carting kids around, and when they stop, the stuff is being poured out. It is very significant.

Over that period, from 2003 to 2005, only a third of Ohio's applications were funded, 5 out of 15, but broad support for DERA is changing this situation. People are starting to realize this is a neat program. It is really working. For fiscal year 2008, DERA was funded at almost \$50 million. The House Interior Appropriations Subcommittee has acted to increase DERA funding to \$65 million for 2009.

The thing that is neat about this is that we look at supporting programs. I always asked the question, as I am sure the Presiding Officer did when he was Governor and Senator CARPER when he was Governor: How much more money do you leverage with the money you are spending? In other words, the State puts money in, and how many other people are willing to kick in and make a difference? In this program, we have 50 States participating. In order for the States to participate, they have to create their own State-level programs. States can get more Federal funding by adding State dollars. So if the State matches the Federal allocation dollar for dollar, it will receive an additional 50-percent allocation. This is a real incentive for States to get involved. When we first put this program together, we thought, for every dollar we put out, we would leverage another \$3 from State and local government. Also, the private sector is really interested in this program. My State has taken a leadership role in that effort. A coalition of groups have come together in Ohio to use the Congestion Mitigation and Air Quality Improvement Program, the CMAQ Program, as we know it, to fund diesel retrofits. CMAQ provides State and local governments

funding for transportation projects to help meet air quality requirements, and the funds are apportioned to State transportation agencies based on population and air quality programs in the region.

Still more money is needed. Enforcement settlements have been a good source of funding for diesel retrofits. For example, from 2001 to 2006, EPA entered into diesel emission reduction Supplemental Environmental Projects valued at \$45 million. In 2007, an enforcement settlement with AEP, American Electric Power, a company in my State, included approximately \$21 million for diesel retrofits. In other words, companies that have been fined have been able to take the money they have been fined and put it into this fabulous program that reduces diesel emissions.

Last July, though, the EPA issued a policy that eliminated the use of this money to finance diesel retrofits. It is hard to believe. This policy was based on the Agency's interpretation of the Miscellaneous Receipts Act and prohibits the Agency from accepting SEPs that fund activities for which the Agency received funds through appropriations, a lot of gobbledygook. EPA's inability to enter into diesel emission reduction SEPs has eliminated an important tool for environmental protection. What this bill basically says is, we are going to amend the Miscellaneous Receipts Act and say that in addition to the money we appropriate for this program, they can also use SEP money for this program. Everyone believes this is a very meritorious action we are taking. It will increase substantially the amount of money that is made available.

I am hopeful that in the next several years, we will see one of the most robust programs in the world underway with the diesel emissions program. We pass stuff around here, we debate it, but so often nothing happens. Here is a perfect case of where Republicans and Democrats have worked together on something that means something. It is going to help. It is the kind of program I can go back to Ohio and say, when they are complaining about the ozone and the particulate and what are you doing to help us: We have the Diesel Emissions Reduction Act that is going to make a difference for you and your community. Hopefully, working together, as I mentioned, we will see some significant reductions in emissions and significant improvement in public health, particularly for our children.

Again, I publicly acknowledge the great partnership Senator CARPER and I have had. There are so many things we work on. When we finally get to them, such as the Clean Air Act we had a couple years ago, we just missed making it happen. But on this one, we did make it happen. I am hopeful that Senator CARPER and I, working in the Clean Air and Nuclear Safety Subcommittee, will be able to collaborate on other significant legislation that

will make a real difference for our country.

I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The Senator from Delaware.

Mr. CARPER. The Presiding Officer who is leaving the chair was Governor of Nebraska, and he had the opportunity to work with Senator VOINOVICH and myself at that time. Among the people we worked with was the father of our brand new Presiding Officer, the former Governor Casey. We have been reflecting back on the way it was and how we worked so well across party lines in those days. The legislation that we celebrated passage of yesterday is another indication we can still do that right here in the Senate.

I wish to ask a question, through the Presiding Officer, of Senator VOINOVICH. Senator VOINOVICH mentioned leveraging. Every dollar we appropriate in Federal dollars, EPA is now able to use for Supplemental Environmental Projects to install clean diesel technology to clean up emissions of diesel. He mentioned we actually leveraged some money from other sources, State and local governments, maybe school districts, private companies too. So for every \$1 of Federal, we get another \$3 to use from other sources. My recollection is that in terms of cost benefit—cost being how much it costs to install the technology—there is a health benefit that is a lot greater than the \$1 we spend on the technology itself. I want to say it is \$12, \$13. I ask Senator VOINOVICH, if I may, through the Presiding Officer, is my recollection correct? Is there a 13-to-1 benefit in terms of a \$1 investment in the technology and \$13 in payoff, in terms of health benefits?

Mr. VOINOVICH. Mr. President, I think it is much more than that. If you look at the numbers I used in my presentation, it is much greater than that in terms of the public health benefits that are derived as a result of the program.

Mr. CARPER. Mr. President, you were not presiding when we looked at this map earlier, but this is a map of the United States, obviously. This is a map that shows the mortality risks from U.S. diesel emissions. The best color to have is pink, and those States have relatively low diesel emissions and fairly low threats for whether it is bronchitis or asthma or cancer from diesel emissions.

If you happen to be from a State such as Ohio—where Senator VOINOVICH is from, and where I spent part of my youth and went to college—or if you happen to be from Delaware or happen to be from the Commonwealth of Pennsylvania, things are a bit grimmer.

What we have come up with, thanks in large part to Senator VOINOVICH's leadership, is a way to turn the dark red to pink. We want to get the whole country in the pink. Hopefully, in a relatively few years we, will.

The last point I want to mention—Senator VOINOVICH comes from a State

that builds a lot of cars, trucks, and vans. Delaware has the only two automobile assembly plants that still exist anywhere up and down the east coast. We are fearful of losing our Chrysler plant at the end of next year, and we would be down to a single GM plant. Chrysler has invested in a new technology with Daimler, and their technology is for low-emission diesel vehicles—very low emission diesel vehicles. The emissions are so low and the fuel efficiency is so high, the people who buy those very low-emission diesel vehicles starting, I think, next year, will be eligible for the same kind of tax credit they would get by buying a hybrid vehicle today, with a tax credit anywhere from \$500 to \$3,500 per vehicle.

We want to encourage people to buy those low-emission diesel engines. But as people are buying those very low-emission, highly energy-efficient diesels, we want to make sure the other 11 million old diesel engines that are on the road—that are not as fuel efficient; that are not as clean burning—that we get to work at cleaning them up.

The good thing we have accomplished, working with House and Senate Democrats and Republicans, is we are striking a blow for clean air but not at the cost of energy efficiency.

With that, Mr. President, I will yield the floor.

Again, I say to my friend, Senator VOINOVICH: On to more battles. We will take on more battles, and we will do good things.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak for up to 12 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I see the Senator from Delaware. I wonder, through the Chair, if he needs to speak.

Mr. CARPER. I just did. I thank the Senator.

GAS PRICES

Mr. ALEXANDER. Mr. President, I have invited Tennesseans to send me e-mails or to write letters about how high gas prices are affecting their daily lives. I am hearing from a lot of them.

Pat Taylor of Morristown, TN, who is the director of the local Meals on Wheels program, tells me the drivers travel 1,100 miles a day to deliver meals, but food and gasoline prices could force many meal recipients into retirement homes if something is not done. Mileage reimbursements are not sufficiently covering the expenditures of drivers.

Dr. Kathryn Stewart, of Winchester, TN, tells me that the school nutrition director has had to raise school lunch prices 50 cents per meal to compensate for the rise in gas and food prices, but they will still lose money this year. She worries about the future of her business there.

Abbie Byrom, of Johnson City, TN—that is in the eastern part of our State—is a third-year medical student at East Tennessee State University. She lives on loans through the school system. But, she says, cost-of-living loans do not cover expenses on traveling to all the area hospitals and medical centers. She says most of her fellow students are living by maxing out their credit cards.

Jerry and Judy Wilson, of Monterey, TN, run a weekend concessions business, but sales have been cut in half because of rising gas prices. They say: People can't come to the events because of fuel prices.

Joshua Yarbrough, of Franklin, TN, moved his family with three children to a larger house in Franklin, outside Nashville, 4 years ago, and is now having trouble paying his mortgage because of rising gas prices.

Mr. President, I ask unanimous consent to have printed in the RECORD, following my remarks, each of these letters.

The PRESIDING OFFICER. Without objection, it is so ordered.
(See exhibit 1.)

Mr. ALEXANDER. So, Mr. President, given the extraordinary impact of \$4-a-gallon gasoline on the people of Tennessee and the people of this country, they are looking to us in the Senate and the Congress to do something about this.

I noticed there are some interesting new professors of economics on the Democratic side of the aisle who seem to be trying to repeal the law of supply and demand. I have been studying this strange development, and I am trying to trace the source of it. It would appear that maybe the source of it is the young new chairman of the department of economics on that side of the aisle, because the New York Times reports this morning that Senator OBAMA opposes drilling in Alaska, and says he is "not a proponent," in his words, of nuclear power, which provides 20 percent of our electricity today and 70 percent of our clean carbon-free electricity. He would consider banning new coal plants without clean coal technology. Coal produces 45 percent of our electricity today. In 2006, he voted against further exploration in the Gulf of Mexico for oil and gas, in a portion of the Gulf known as Lease 181. More than 70 Senators from both sides of the aisle voted for it, which, so far as I can tell, leaves Senator OBAMA with not much more than a national windmill policy, as opposed to a national energy policy, for this great United States of America, which consumes every year 25 percent of the energy in the world.

Of course, it leaves these new professors of economics with the demand

part of the supply-and-demand equation.

We Republicans also believe in demand. We are for green buildings. We believe most of the new buildings ought to be green buildings. That is probably the easiest way to save electricity. Japan has discovered over the last several years that most of its failure to reach the Kyoto standards it was trying to achieve came from the inefficiency of buildings.

Half of us on the Republican side voted for the fuel efficiency standards in December. That has to do with the demand side of the equation—using less oil, less energy. The Oak Ridge National Laboratory scientists told me that the single most important thing we could do as a Congress would be to increase the fuel efficiency standards by 40 percent. That means the cars and trucks in America should average 35 miles per gallon by the year 2020. We voted to do that in a bipartisan way. So we agree on that part of demand as well.

Then we Republicans, as well as many Democrats, I am sure, are ready to give strong support to the idea of plug-in electric cars and trucks.

I was in Nashville on Monday with Congressman BUD CRAMER, who is a Democratic Congressman from Alabama. He and I cochair the TVA Congressional Caucus.

The question we presented for the hearing was, Will electric plug-in cars and trucks help lower \$4 gas prices? I believe the answer is yes, and so did a lot of the people who came to see the cars.

One of the vehicles there was a plug-in electric car made by the A123 company in Boston. It is a Toyota Prius, of which there are now a million on the road, and the A123 company had converted the Prius, which is a 40-miles-per-gallon car, into an electric plug-in vehicle, and it is now a 100-miles-per-gallon car. All they did was replace the car's smaller rechargeable battery with a larger rechargeable battery, and they put a cord on the back of it and the driver plugs the cord in at night at his house in a wall socket and he charges it up for 60 cents. So instead of filling it up for \$70, he is charging it up for 60 cents.

According to the General Motors Company witness who testified at our hearing on Monday, 75 percent of us drive fewer than 40 miles a day. I know I drive less than 40 miles a day going back and forth when I am in Washington, so if I were driving that electric plug-in car, I would be using no gasoline whatsoever.

So plug-in cars and trucks are a real prospect and a real important part of the demand part of the supply-and-demand law we strongly support on this side of the aisle, and so do many Democrats as well. It is 100 percent American energy. GM, Toyota, Nissan, Ford—all are going to be selling these cars to Americans in the year 2010, which is a model year that is about a

year and a half away. Sixty cents is the cost of the charge for a 30-mile drive. It is about the same amount of electricity it takes to use your water heater for 1 day. It doesn't require new powerplants because the Tennessee Valley Authority chairman who was at the hearing told us that they have plenty of extra electricity at night when our lights are off, so we can plug in at night.

This involves trucks too. There were FedEx delivery truck witnesses at the hearing. They are already using hybrid delivery trucks, and they are planning to use that technology for big trucks.

If we were to electrify half our cars and trucks in America over time—which is 120 million, since we have about 240 million cars and trucks in this country—we could cut in half the amount of oil we import. That would cut from \$500 billion to \$250 billion the amount of money we are sending overseas to people, many of whom are funding terrorists who are trying to kill us. It would strengthen the dollar. It would certainly lower fuel costs for those who are plugging in their cars instead of driving them—or plugging them in instead of filling them with gasoline—and it would reduce the demand for oil so much that it would surely reduce the price of gasoline as well.

Plug-in electric cars and trucks would lead us to support a number of other initiatives: Smart meters so that in our homes we could pay TVA—or whoever our electric utility is—a little more in the afternoon for electricity used at peak power, but at night we would have cheap power for our plug-in vehicles. Battery research. The additional cost of such a plug-in vehicle is determined primarily by how rapidly we can develop batteries that will take a charge to allow 40, 60, 80, 100, or even more miles each time because we will be running coal plants at night to provide this electricity. We would need to clean up our coal plants, but we should be doing that anyway, whether they are in Pennsylvania or Tennessee or Ohio. We need to get rid of the sulfur and the nitrogen and the mercury, and we need a crash program to find a practical way to recapture the carbon from coal plants if we are serious about dealing with climate change.

So there are a number of policy changes we on the Republican side of the aisle are ready to make to lower gas prices and to honor the law of supply and demand. But the problem is the new professors of economics on that side of the aisle, led by Senator OBAMA, are trying to take the word "supply" out of the law of supply and demand. If we are going to drive plug-in electric cars and trucks, we are going to need a supply of electricity, so we need to be building five or six nuclear powerplants a year. But the professors on that side say they are not proponents of that; they don't think it's part of the solution. It has to be a part of the solution in a country that uses 25 percent of all of the electricity in the world.

It would be embarrassing to say that France is ahead of us in this, but they are. Eighty percent of the electricity in France is from nuclear powerplants. It is clean—no mercury, no sulfur, no nitrogen, no carbon. They meet the climate change standards today, and if they shift in France to driving electric cars and trucks, they will have no problem. They can plug them in at night to recharge them. They will have no pollution problems. They will reduce their dependence on oil. They will save money in their pockets. They won't be exporting money to Middle Eastern countries or to others that may be funding terrorists. They will be ahead of us if we don't advance the technology we invented and begin to build five or six new nuclear plants a year for the foreseeable future.

We also need to take the ill-advised moratorium off oil shale. We have plenty of oil shale in the ground and new environmentally sound ways to get it out of the ground. That is a part of supply as well. Most of that is in our Western States.

We also need to give other States the opportunity to do what Texas, Louisiana, Alabama, and Mississippi already do, which is to explore 50 miles offshore for oil and gas. We have plenty of that. We could be producing an extra million barrels a day of oil and gas from offshore exploration, and by adding to the supply we would be reducing the price of gasoline and bringing it down below \$4. We need to change the law and do that. Senator MCCAIN says we need to do it.

What would it involve to give States that option? The Virginia State Legislature, for example, has said they would like to explore off the coast of Virginia, at least for natural gas. So we need to lift the Federal moratorium and the Presidential Executive order that keeps them from doing that offshore. If I were the Governor of Virginia, I would certainly want to do it. I would put the rigs 50 miles out where no one could see them.

We know we can do it in an environmentally clean way. We heard a lot of bad things as a result of Hurricane Katrina, but we didn't hear of one oil spill from any of the oil and gas rigs that are all in the Gulf of Mexico. So we know how to drill cleanly. The oil spills we have are from cargo freighters that are bringing oil from overseas to us. That is where the problem is. If we were exploring offshore for our own oil and gas, we would not only be lowering our gas prices, but we would be providing States and the Federal Government with additional revenue as well. Under the formula we passed in 2006 for Lease 181 in the Gulf of Mexico, Virginia would get 37.5 percent of the dollars. What would that do for Virginia? They already have a good higher education system, but I think if I were the Governor, I would say: Let's put a lot of that in a trust fund for higher education and make the Virginia colleges and universities the best in the world

without raising taxes. Let's put some of it to nourish the beaches of Virginia. Let's maybe use some of it for roads or for health care or for lowering taxes. They could do all of that with their three-eighths of those revenues.

We also said that one-eighth of the money from that offshore exploration in Lease 181 would go to the State side of the Land and Water Conservation Fund for city parks and greenways and open spaces in Pennsylvania and Tennessee and all across this country, which we have been trying to do for 40 years. The whole idea of the Land and Water Conservation Fund enacted in the 1960s was to say: We will fund it up to \$900 million a year from money from offshore oil and gas exploration; we recognize that exploration is an environmental burden, so we will turn part of it into an environmental benefit. We have never fully funded the Land and Water Conservation Fund, and this is a way to do that.

There are other ideas—Senator SALAZAR, Senator KYL, and I join in this as well—to take some of the excessive money from offshore drilling and fully fund the National Park Centennial Initiative that President Bush has proposed to celebrate the 100th anniversary of our National Park System. I know of the excitement around the Great Smoky Mountains National Park as we have added 55 new park personnel to that park and a lot of new private funding for park projects simply because of this Centennial Initiative the President has proposed. We need to fund it, and this would be a way to fund it.

So we need a supply of electricity if we are going to drive electric cars. We need oil shale if we are going to continue to produce oil, from which gasoline is made. We need offshore exploration—another way to increase the supply of oil.

I believe, as do many others on our side of the aisle, that we should also be exploring in Alaska. Jay Leno said the other night that the Democrats objected to that because they said it wouldn't produce any oil for 10 years. Well, as Jay Leno said, that is what the Democrats said 10 years ago. Presidents and Senators are supposed to look ahead, to look down the road. If we can add a million barrels of oil a day from Alaska; if we can add a million barrels of oil a day from offshore exploration; if we can add 2 million barrels of oil a day from oil shale, which we can do; if we can build five or six nuclear plants a year and help us create carbon-free, clean energy so we can electrify our cars and trucks and reduce our demand for oil, then we will have lower gas prices because we will be honoring the immutable law of supply and demand which says find more and use less.

The difference between us is that on this side of the aisle we believe in the law of supply and demand: find more and use less. On that side of the aisle, they seem to believe in a different eco-

nomics, which is use less. They want to repeal supply and only insist on demand. So there is a fundamental difference.

I am glad Senator MCCAIN must have gone to a different college of economics than the one I think I sense on the other side of the aisle. He has suggested that we do both, that we increase our supply and we reduce our demand by finding more oil and using less oil. He has specifically supported offshore drilling if States want to do that. He has specifically said we should lift the moratorium on oil shale and proceed in an environmentally responsible way to explore for that. He has said as well that we need to move ahead with five or six nuclear powerplants a year, and he has been a strong advocate for green buildings, for fuel efficiency, and for plug-in electric vehicles. At the same time, he has said he believes we need to take steps to deal with climate change, emphasizing the importance of nuclear power because that provides 20 percent of all of our electricity but 70 percent of our carbon-free power.

So I look forward to the debate over the next few months. It is beginning to come into shape. Two different views of economics: an attractive young head of the department from that side of the aisle who wants to change the law of supply and demand to only include demand, which apparently would leave us with a national windmill policy; or a more grizzled Senator who apparently went to a different college of economics who believes in the old-fashioned law of supply and demand and would like to focus on both.

This will be a debate worthy of the Senate. It will be important to all of those Tennesseans who are writing me wanting that \$4 per gallon price to go down. My recommendation to them is to vote for Senators and vote for Presidents who will both increase our supply and reduce our demand—who will find more, use less, and not try to invent a new theory of economics which will leave us with our lights off and our gas prices high.

I yield the floor.

EXHIBIT 1

From: Pat Taylor
Sent: Thu 6/12/2008 9:43 AM
To: Alexander, Senator
Cc: Susan Luker
Subject: Gas Prices Affect Meals On Wheels In East Tennessee

DEAR SENATOR ALEXANDER: My name is Pat Taylor. I am Program Director for Douglas Cherokee Economic Authority Senior Nutrition Program (Meals On Wheels). We are currently serving hundreds of elderly and disabled citizens in the counties of Cocke, Grainger, Hamblen, Jefferson, Monroe, and Sevier. I am writing to you on behalf of all of these homebound clients who receive our meals five days a week. We currently drive 1,100 miles per day to deliver these meals. With the increase in food costs as well as gasoline prices, this has become a burden for our program and our delivery aides. They use their own vehicles to deliver. With gas prices rising daily, the mileage reimbursement they receive desperately needs to be in-

creased in order for meal delivery to continue.

Anything you can do will be greatly appreciated. Many elderly and disabled Tennesseans are able to avoid being institutionalized because of the daily contact and nutrition provided by the Senior Nutrition Program.

Sincerely,

PAT TAYLOR,

Director, Douglas Cherokee Economic Authority, Senior Nutrition Program.

From: Kathryn Stewart
Sent: Fri 6/13/2008 2:19 PM
To: Alexander, Senator
Cc: Dr. Kathryn Stewart
Subject: Gas Prices

I am the School Nutrition Director for our school system. The rise in food and gas prices has pushed me to raise school lunch prices \$.50 per meal, and I still project I will lose \$250,000 this year. I have always been in the black. I worry now many people will not be able to pay the increased price for school lunches, and I will lose even more. I have no solutions. What can I do? How can you help us?

DR. KATHRYN STEWART,

Food Service Supervisor, Franklin County Board of Education, Winchester, TN.

From: Abbie Byrom
Sent: Wed 6/11/2008 11:45 PM
To: Alexander, Senator
Subject: Gas Prices

My name is Abbie Byrom. I am a third year medical student at Quillen College of Medicine. Currently, we are able to get loans for cost of living based on a budget set by the State University system. During our third year of medical training, we rotate through the Johnson City Medical Center and hospitals in Kingsport and Bristol. For those of us who live in Johnson City, traveling to these other towns costs \$250-500 a month (reported from classmates). This is not to mention the students in the rural tract who travel to rural towns such as Mountain City and Rogersville. The cost of gas and groceries has been overwhelming and our governed budget is not covering the costs (transportation allotment, which includes expected car maintenance, is approximately \$283 per month). My classmates, with whom I have spoken about these issues, report that they rely upon credit cards to survive toward the end of the semester. Many of them pay off the credit cards when they receive their next loan check, which leaves them over budget once again at the end of the next semester.

On a personal note, my family lives in Tullahoma, TN. During my first year of medical school, I was unable to travel to Tullahoma as often as I would have liked due to a very busy schedule. Now the limiting factor is the cost of gasoline, and that's just sad. Please help me and my fellow colleagues make it through the semester without accruing more debt.

And, please help me see my family.

Sincerely,

ABBIE R. BYROM,
Registered voter since 1999,
Johnson City, TN.

Sent: Wed 6/11/2008 6:03 PM
To: Alexander, Senator

DEAR SENATOR ALEXANDER: We run a concessions business just on the side (weekends) to help supplement our income. Other years this has helped us to achieve more than we could've with just our jobs. This year our costs have gone up astronomically, and sales

are down by more than half. People can't come to the events because of fuel prices!! It has resulted in us not having made one cent of profit yet this year!! It is discouraging to work hard and not get ahead at all. We do not believe that "punishing" (taxing) the oil companies will do any good; the companies will expense that cost and pass it right on to us and cut production! We must drill in our country and develop new technologies.

Thanks for giving us the opportunity for input.

Sincerely,

JERRY AND JUDY WILSON,
Monterey, TN.

From: Josh Yarbrough
Sent: Thu 6/12/2008 10:09 PM
To: Alexander, Senator
Subject: Gas Prices/Drilling Efforts

DEAR SENATOR ALEXANDER: I appreciate your efforts to help Congress see how the American public is affected by high gasoline prices. My story is that I am married with 3 children. Four years ago, we moved to a larger house in the city of Franklin, TN from farther out of town. Of course, we purchased a home that stretched us a little, but we felt that after 4 or 5 years of living here, it would be like our first home—able to make extra payments due to increases in salary over the 5 year period. Last month, we spent \$300 at the pump. So, what I'm seeing is that the gas prices are eating into money that I would either be able to save or put toward the house. Having this money available would help all Americans, not just those that over-extended themselves with the whole sub-prime mortgage/adjustable rate mortgage "crisis".

I applaud the Republicans' efforts to make it possible for Americans to drill for more oil in our own country. Certainly, I agree that researching other forms of energy is a good thing, but the fastest way to be independent of foreign oil is to act decisively now by allowing for more drilling in America. Further, I believe that the government should not be heavily involved in finding the alternative energy sources. I would much prefer to leave that to the private sector. Why should my tax dollars be used for this, when companies who seek profit are willing to do the research?

Again, thank you for standing firm in your support of drilling efforts in America! We are proud to have you representing us!

Sincerely,

JOSHUA L. YARBROUGH,
Franklin, TN.

Mr. ALEXANDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

LARGE DEFENSE CONTRACT AWARDED TO AIRBUS

Mrs. MURRAY. Mr. President, 3 months ago, our U.S. Air Force made a decision that is going to affect our military for decades. Our Air Force awarded one of the largest defense contracts in history to the European company Airbus.

As my colleagues know, I have been here many times to talk about my nu-

merous concerns about this contract and about whether it is in the best interest of our taxpayers and our service men and women for Airbus to supply our next generation of aerial refueling tankers. Those tankers refuel planes and aircraft that are stationed across the world. As long as we, the United States, control the technology to build those refueling tankers, we control our skies and our own security. But the Pentagon has yet to justify this decision to give that contract to the European company Airbus.

Within the next 24 hours, we expect the Government Accountability Office to issue a ruling on one overarching question that has been raised about this contract and that is whether the Air Force followed the letter of the law when it made that decision. This GAO decision will not answer whether Airbus will supply the best plane for our military, and it will not answer whether buying the Airbus tanker would do permanent harm to our aerospace industry.

So I rise today to urge my colleagues to join with me and continue to fight to get those answers. It is common sense that before we, the Congress, finalize a \$35 billion contract, we need to know why the Air Force chose a plane that is much bigger and less efficient than it asked for—one that cannot use hundreds of our runways, ramps, and hangars and one that costs billions of dollars more in fuel and maintenance.

We, as Members of Congress, and the people we represent need to know whether our Government should buy a plane that even the Air Force says is "less survivable." That means it is less able to keep our men and women who are in them safe. We need to know what the effect on our economy will be and the effect on our national security if we turn this critical technology over to a company that is owned by a foreign government.

I was out on the Boeing 767 line the day the Air Force announced its decision. I will never forget the shock and dismay I saw on our workers' faces. After all, they have been making our Nation's refueling tankers now for more than 50 years, and they know how important those tankers are to the military. In fact, I remember so well this one woman rushing over to me on the factory floor to tell me her son actually flies those refueling tankers for the Air Force and that she—an American mom—wanted to be the one making them for him. She and workers across this country want to know why. Why would we give this contract, this Air Force contract, to a subsidized European company controlled by foreign governments that just want to put America's aerospace industry out of business and take away her job?

The U.S. Trade Representative is so concerned about the subsidies Airbus receives that it has brought a case against the EU before the World Trade Organization because of those illegal subsidies. We need to know why in the

world we would accuse Airbus of unfair trade practices on one hand and then turn around and hand them a major piece of our defense industry. We, as Members of Congress and representatives of the American people, need to know why our Government would hand them this contract now.

In May, employers cut 49,000 jobs. It was the largest 1-month jump in unemployment in this country in 22 years. Yet at the same time our administration is sending 44,000 U.S. jobs overseas to build our Air Force refueling tankers, when we are hemorrhaging jobs at home in this country. It does not make sense to me.

Some of our colleagues are saying we need to move this process along quickly so we can get those planes into the hands of our airmen and airwomen. I agree. They need these planes. But this is a contract that will affect our military, it will affect our taxpayers, and it will affect our decisions in this country for years to come. So we had better be thoughtful, conscientious, and thorough. Members of Congress have a responsibility to thoroughly evaluate whether we are buying the best plane for our taxpayers and our men and women who fly those planes. So I hope my colleagues, as we hear from the GAO in the next 24 hours, will stand with me and ensure we get this contract right.

I see my colleague from Maryland is here to speak, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

MOVING FORWARD WITH ENERGY LEGISLATION

Mr. CARDIN. Mr. President, the people of Maryland and around the Nation are angry and frustrated. Every time they fill the tank of their vehicle with gasoline or look at their utility bills, they get worried. I must tell you, they are frustrated and so am I as to why the Republicans are blocking an opportunity for us to even take up this legislation to deal with the rising energy costs and to deal with the energy policies of this country.

Republicans have blocked consideration of S. 3044, the Consumer-First Energy Act, and H.R. 6049, the Energy and Tax Extenders Act containing renewable energy incentive programs. People in Maryland and around the Nation know that when George Bush took the office of President, the price of gasoline was \$1.46 a gallon. It is now over \$4 a gallon. They know the impact this is having on their lives. There are people in Maryland; in Pennsylvania, the State of the Presiding Officer; and around this Nation who literally cannot afford to fill their tanks with gasoline. They are having to make tough decisions today.

There are small businesses that are going out of business because they can't afford the increased energy cost of running their small businesses, and they do not have options as to how to shift costs in order to deal with these

rising costs without putting it onto the consumers. So this is having a dramatic impact on our economy.

The people of our Nation are asking us to put aside our partisan differences. This is too important a subject for the security of our country, for the economy of our Nation to continue partisan fighting. We need to debate these issues and vote on these issues.

I am proud to be a cosponsor of S. 3044, which provides some immediate help to our consumers on energy cost. It deals with a limited number of subjects, but they are subjects that can have an impact on energy costs now. It would repeal the tax subsidies that we give the oil industry—the tax subsidies. We are providing \$17 billion of tax relief to the oil industries while they have record profits. Their profits are at record numbers.

President Bush said on April 14, 2005 that if the cost of crude was at \$55 a barrel, the oil industry didn't need additional incentives. The President said: I will tell you, with \$55-a-barrel oil, we don't need incentives to oil and gas companies to explore. There are plenty of incentives. That was the President of the United States. Well, the price of crude oil now is at \$140 a barrel, so we certainly don't need to have taxpayers subsidizing the profits of the oil industry. This legislation says: Let's use that money to make America secure. Let's put it into renewable energy sources here in America.

The legislation would also allow the President to impose a windfall profits tax. I have heard a lot about that from my colleagues, but it simply says that if you are making obscene profits, you should pay some additional taxes. You could avoid the windfall profits tax. All you need to do is invest the profits in clean, affordable, and domestically produced renewable energy. In other words, invest in America's future and in America's security.

The legislation also goes after speculators. A large part of the cost at the pump today for gasoline is because we have investors speculating in oil futures, but they are not subject to the normal investment rules. They should have margin requirements to be able to speculate. We need energy, we need gasoline at the pump, we don't need it held by speculators, and this legislation would deal with that situation to help bring down the cost of gasoline.

It also deals with the collusive practices of the oil-supplying countries. Let's subject them, to the extent we can, to fair antitrust laws.

So this legislation would have an impact in trying to bring down the cost of gasoline today.

I know the President is going to make a statement saying we can drill our way out of this problem. We can't drill our way out of this problem. America has 3 percent of the world's reserves in oil, and we consume 25 percent. We can't drill our way out of it. ANWR, which is the sensitive land in Alaska the President wants us to drill

in, contains .6 percent, less than 1 percent, of the world's reserves. We have millions of acres that are open for exploration and drilling today. The oil industry could use those millions of acres to obtain more energy, and it still wouldn't be enough to deal with our needs, but it would help us on a temporary basis. ANWR represents only a very small part of that.

There are plenty of ways in which we can drill today, but it would not solve our problems. Let me give you one comparison. If we had passed the increased energy efficiencies for our automobiles 20 years ago rather than last year, we would have energy savings in America equivalent to more than three times the amount of oil we could get from the ANWR reserves.

So in the short term, the bill we have before us is our best hope to bring down costs. It will help our consumers. But we do need an energy policy for America. We need to be energy secure, and H.R. 6049, of which the Republicans are blocking consideration, that deals with renewable energy, would help us obtain that. We need an energy policy in America that makes us secure from foreign imported oil. We have to be an energy-independent America. We have to produce our own energy in America so we can get off oil for the sake of our national security. We shouldn't be financing countries that disagree with our principles and our way of life. We need to be energy independent for our economy so we don't have these unpredictable changes in energy costs in America.

One of the most frustrating things for American business is they need to plan for their costs. They can't plan today because we don't control our own energy. So we have to be energy independent for the purposes of our economy, and we also need to be energy independent for the sake of our environment. Global climate change is real and so we have to get off oil.

So for all those reasons, we need to invest in renewable energy, we need to invest in better efficiencies, and H.R. 6049 allows us to move forward in doing that. Together we can enact legislation to help those frustrated Maryland consumers and drivers and those who live in Pennsylvania, the Presiding Officer's State, who are worried about whether they will be able to get to work with the rising cost of energy. We can help them today by putting aside our partisan differences and debating and voting on these issues.

This Nation can accomplish anything, if we set our minds to it. I know we have support on both sides of the aisle for an energy policy that makes us energy independent and secure. Let's deal with the immediate problems of the gasoline and energy costs, let's deal with a long-term energy policy that is in the best interest of this Nation, and let's start by debating these issues. Let's put aside the filibuster, move forward, bring these bills to the floor of the Senate so we can do

what Americans expect us to do—debate and act on this critical issue to the future of our country.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OIL PRICES AND EXPLORATION

Mr. MENENDEZ. Mr. President, gas prices this summer could easily be triple what they were when President Bush took office. The dramatic increase in oil prices brought prices for food up along with it, and families are facing a painful financial choice when it comes time to fill their gas tank: Put a gallon of gas in the car or put a gallon of milk on the kitchen table. When Americans are paying this much to fill their gas tanks, it is a drain on the whole economy. Businesses are cutting jobs, families have already eliminated nonessentials, and many are now cutting back on meals. Some people are even contemplating changing their job because they can't afford the gas to get to work.

It has become painfully clear that we are in an oil crisis. Some of the forces driving up prices are beyond immediate control—such as the demand from China and India. But some of the factors offer opportunities for action.

First, market experts have testified before Congress that speculators are driving up prices far beyond where the natural forces of supply and demand should take them. Second, we can take steps in this country to reduce our demand and our dependence on foreign oil.

Last week in the Senate, Democrats brought legislation forward that would attack some of the root causes of the skyrocketing price of oil, cut down gas prices that are artificially high, and bring relief to drivers at the pump. That bill, the Consumer-First Energy Act, would have provided that relief by, among other things, ensuring that our commodities markets are functioning fairly so prices can come down from their artificial highs. The supply-and-demand equation is roughly the same as it was 2 years ago. Yet we have seen prices go through the roof. Experts say speculation could be adding anywhere between \$50 and \$80 a barrel to the price of oil.

In some respects, I am not surprised this is the one place in the market that doesn't seem to be regulated. We can see what happened under the administration of a President and Vice President whose politics have always been tied up with the oil companies for whom they used to work. Here you have the price of a barrel of oil that has risen from about \$20 a barrel when President Bush took office to about \$140 a barrel right now.

As we have seen that price rise, what happens? As the price of oil has risen, the profits of big oil companies have risen—from about \$20 billion when President Bush took office to about \$120 billion right now. The price of oil goes up and profits go up as well. And as the profits have risen for big oil, the price of gas that we pay at the pump has risen—from under \$1.50 a gallon when President Bush took office, in many cases, to, in some cases, over \$4 per gallon right now.

The Consumer-First Energy Act would have made sure that oil is traded on a well-regulated, transparent market free from manipulation. But my colleagues on the Republican side of the aisle said no to that legislation. They said no to the American consumer because they obviously feel committed to say yes to big oil.

Yesterday, once again, the Senate had the chance to help free our country from the liquid shackles of foreign oil. The Baucus substitute amendment—had we been able to offer it, had we not been stopped by our Republican colleagues—would have spurred the development of renewable energy by providing almost \$20 billion in tax incentives for investment in the production, transportation, and conservation of energy.

In order to encourage renewable energy industries to build to the scale we need them to, we have to send renewable producers the clear message that their product will have continued support in the future. So the bill would have extended investment tax credits for 6 years to ensure the continued development of solar energy, fuel cells, and microturbines, among others.

We have seen how important this is in my home State of New Jersey where the solar industry has created thousands of jobs and helped “green” the Garden State.

The bill would have encouraged the production of cellulosic biofuels, including cellulosic ethanol. It would have encouraged the development and use of biodiesel and renewable diesel, encouraged further investments in advanced technology vehicles, and created a tax credit for alternative refueling stations so that the infrastructure exists in our country to make those vehicles viable.

So in the face of a broad-based package to encourage new green energy sources that would have helped bring down gas prices and end our dependence on foreign oil, what did my colleagues on the Republican side of the aisle say? They said no again. Republicans said no to helping American consumers because they could not help but say yes to big oil.

It is no surprise then when my distinguished colleague from Arizona, Senator McCain, delivered his big energy speech yesterday, where did he do it? He did it in the oil capital of the United States. The big plan President Bush and his Republican allies in Congress are pushing is another example of

big oil writing our energy policy, as they have done for the last 8 years.

And Senator McCain repeats it. That plan comes down to one thing: Drilling, drilling, drilling along the coasts of our country. When JOHN MCCAIN or George Bush talk about opening our coastline to drilling, they make it sound like gasoline is going to gush out from that drill straight out of the ground and right into your car.

What they either do not want to tell the public or simply ignore is that, in fact, it will take at least a decade—a decade—to see any production out of these areas, and even then, the Energy Information Department tells us this will be a drop in the bucket.

Why give the oil companies another handout when they are sitting on 68 million acres of land leased from the American people which they have yet to explore? I find it hard to believe that Senator McCain would say the Federal Government discourages offshore oil production when more than 80 percent of the oil that is offshore is already open for production, and oil companies own more than 30 million acres of leases in Federal waters they have not used—that they have not used.

The vast majority of oil and natural gas resources on Federal land is already open for drilling, and it is not being tapped. Currently, oil companies are not producing oil or gas on 68 million of the more than 91 million acres of Federal land under their control. And 31 million of those 68 million acres are offshore.

Offshore, these companies are producing on only about 20 percent of the acres they hold, while onshore they are producing less than 30 percent of the acres they hold. So one has to wonder, when big oil pushes relentlessly for more and more land and water to drill, even when they have millions of acres they have yet to use, it makes us wonder if they are not just exploiting this oil crisis to expand the reserves on their books in order to inflate their share price. Certainly, the needs of American consumers are not what these CEOs are looking out for.

If the Senate does not act now, billions of dollars' worth of research and development tax credits will expire, impeding innovation and discovery. As the world becomes increasingly globalized and technology driven, we must increase our investments in research and development in order to maintain our position as a world leader in the 21st century.

If the Senate does not act, billions of dollars invested in alternative, clean sources of energy will cease, and so will our progress to become energy independent. I have heard my colleagues on the other side of the aisle decry the rising price of gas and talk about developing alternative sources of energy.

But when they had the opportunity yesterday, once again they said no, as they said no last week on having market speculation taken out of the price of oil, therefore the price of gas.

By the way, what would have been offered yesterday had we been able to proceed—and hopefully we can proceed on today—is that millions of Americans subject to the alternative minimum tax, placing unfair and unnecessary tax increases on middle-class families, could have gotten a break under the Baucus substitute. That is all that would have been able to happen.

Finally, here is the bigger picture. We have 2 percent of this world's oil reserves, and we consume 25 percent of the world's oil. We are never going to meet growing domestic demand with shrinking domestic supply. The only way to make these numbers balance is to reduce our dependence on oil by increasing production of renewable fuels.

If we are going to have a secure energy future, there is a lot more we need to do to explore besides oil reserves. We had better start exploring the outer reaches of our creativity, not lining the inner pockets of the corporate oil elite. It is time to say yes to tapping our industriousness, harnessing our powers of innovation, and summoning up the will to change, that change that has made this country great.

We have an opportunity to break our dependence. We have an opportunity to tell the oil companies, too, by the way: Pursue the 68 million acres of land and water you already have licenses and leases for and stop telling us to go potentially risk our environmentally sensitive areas in pursuit of oil that will not be achieved for a decade, will not do anything about gas prices today, when you are not even moving on the 68 million acres to which you already have access. Ultimately, all it would do is increase your profits, but it would cause States, such as my State of New Jersey, where tourism is the second largest driver of its economy, to risk the possibility of an oil spill on the shores of New Jersey's beaches and kill billions of dollars that annually are generated as a result of that.

So I do not want to hear from the capital of big oil, our dear colleague and the presumptive Republican nominee tell us the solution to our problem is to drill more, when 68 million acres that the big oil companies have are already not being pursued, when ultimately it will not produce a penny of reduction in gas prices.

When we had the opportunity to make a real impact last week on the bill that would take the speculation out of the marketplace, stop price gouging, and at the same time, when we have an opportunity today, before the Senate, to make sure that we extend those renewable tax credits, give us better fuel-efficient vehicles, give us better renewable energy sources, and break our addiction to the reality that the reality is that the overwhelming part of oil in this world resides not here in the United States but abroad.

That is our challenge and opportunity. It is time to say yes to American consumers, time to say no to big oil.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

(The remarks of Mr. WARNER and Mr. WEBB pertaining to the introduction of S. 3147 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. WARNER. I yield the floor.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER (Mr. MENENDEZ). Without objection, it is so ordered.

(The remarks of Mr. WYDEN pertaining to the introduction of S. 3148 and S. 3149 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

MOUNT HOOD WILDERNESS

Mr. WYDEN. Mr. President, I wish to acknowledge the important work of my Oregon colleagues—Representatives DeFAZIO, HOOLEY, BLUMENAUER, and WU—who are coming through today for an Oregon icon, our special Mount Hood. Last year, Senator SMITH and I introduced the Lewis and Clark Mount Hood Wilderness Act to create an additional 128,000 acres of wilderness around the mountain. Our Mount Hood legislation has passed committee, and I am confident that now, with the House of Representatives, the other body, going forward with a companion measure, it is going to be possible to get this measure enacted and move on to a host of additional important land issues for my home State.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Alaska.

OIL SPECULATION

Mr. STEVENS. Mr. President, as Americans travel with families over the Fourth of July and for summer vacations—on cruises, RV trips, or on sightseeing tours, to Alaska, hopefully—they are going to be shocked by the price of fuel at the pump. This is because the consumers of fuel—from airlines to truckers to the fishing captains of the boats off the Pacific in my State—must in effect bid against speculators in the oil markets, speculators who will never take delivery of fuel but bid up the price and turn it into an inflated profit. Some people will be forced to cancel summer plans—or worse, close their businesses—primarily because fuel costs have increased so much.

Today, the average price of a gallon of gas is \$4.08. In some parts of our State of Alaska, the price of a gallon of gas is over \$8. I believe Congress must take action now to address this issue before Americans can no longer afford

even basic activities and the goods they need.

Most foreign producers believe Americans will pay any price for oil, and Congress validates this each day we fail to implement a comprehensive energy strategy. Americans are being taken advantage of not only by OPEC but by speculators right here in our own country who are exempt from regulation by the Commodity Futures Trading Commission. Historically, this has not been a bad problem. Only recently has speculation reached these unsustainable levels.

Some speculation when oil consumers use oil futures is bona fide. For instance, an airline might buy fuel at an advanced price for delivery in the future to make certain that it has a supply in the future. That is legitimate. There is no problem with brokers facilitating even this type of purchase. But Congress must recognize that speculators who are not consumers of oil have taken control of our market. Ultimately, the price Americans must pay for oil and other fuels skyrockets because of their speculation. Even major institutional investors have taken up oil futures markets as a major asset class in their financial portfolios. In the last 5 years, investments in commodity index funds have jumped from \$13 billion to \$260 billion due in large part to oil futures. Let me repeat that. Investments in the commodity index funds jumped from \$13 billion to \$260 billion due in large part to oil futures.

Excessive speculation in oil futures is causing our economy to continue its decline. Congress must mandate the CFTC to stringently regulate these exchanges.

Let me show this chart, Mr. President. This shows the period from 1986 through 2007. The gold marks on the chart are actual trade volumes of oil futures in NYMEX and red is the price of the oil that was paid on those deliveries. It is easy to see that as these spikes have occurred, they have not been related to the delivery of oil, they have been related to the price of oil—just speculation in terms of the future delivery of our oil. One economist told me that 30 to 35 percent of what we pay at the pump for gasoline today is caused by speculation—these so-called investors. I call them speculators, and I think they all ought to be in jail. This is a terrible situation, actually.

Our oil crisis has combined with our economic instability and excessive oil speculation to become a vicious cycle. As energy prices continue to cripple our economy, inflation rises and the dollar weakens. One of the few places that investors see a safe bet is in the energy market. They know that worldwide oil demand is increasing and will continue to increase, and so they bid higher and higher for speculative purposes on the delivery of that oil to our own country.

Three weeks ago, I stated on the floor that the IEA predicted world oil demand to increase from 85 million

barrels a day to 116 million barrels a day. If that is the future of oil, of course the investors want to increase their position in oil futures. Who wouldn't want to do that, particularly when there is no control over them at all on how much they can raise the price just by trading paper that represents future delivery of oil?

I believe that immediately the CFTC needs to conduct a review to examine where unregulated trading in oil futures has adversely affected the market—the price we pay at the pump—and to determine what regulations need to be adjusted. I would also like to have full disclosure from any entity or person taking part in the oil speculation game so that the American people can see who is buying and selling their energy but never even hoping to accept delivery. They are just buying pieces of paper to represent the future delivery of oil and they are speculating and raising the price to the entity that needs the oil in the future.

There should be a limit on the extent to which investors in petroleum futures can increase their positions in this important commodity market. It should be a crime when spectators knowingly manipulate oil prices and drive up the price of fuel at the expense of the American family. Such actions undermine our country's energy stability and our energy security. American consumers are at the mercy of foreign oil sellers and domestic oil buyers already, and they should not be forced to pay so much more because of speculation.

Last year, the Senator from California, Mrs. FEINSTEIN, and I each crossed party lines, to a certain extent, to get together to pass a change in the CAFE standards. That was the first Federal increase in vehicle fuel efficiency in three decades. Senator FEINSTEIN has been a champion of conservation, and I applaud her.

Now we are working together again, on S. 3131. Under the terms of this bill, the CFTC will be required to identify and crack down on the oil commodity futures markets that have spun out of control. This may involve the New York Mercantile Exchange, the Intercontinental Exchange—so-called ICE—and even foreign markets, if necessary, to address this serious problem. Our bill probably needs to be improved to make it even more certain that speculators in oil futures will be charged with a serious crime, and they should have serious penalties.

The time is now to act against speculators. I hope the Senate will lead in this and try to crack down on speculators. I predict that if we do, we can break this bubble. If we can reduce the price by at least 30 percent by prosecuting the speculators, I think we should do it, and we should do it before we go home next week.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Tennessee is recognized.

THE FINANCIAL CONSUMER HOTLINE

Mr. CORKER. Mr. President, I rise today to talk about a bill that is being introduced in this body by Senator SCHUMER and myself that is designed to help people throughout our country who are having tremendous difficulties navigating the various financial institutions and who they should talk to when they have various complaints. Right now there are five different institutions of Government that oversee financial institutions throughout our country. I am on the Banking Committee, and I will tell you that if I had a complaint or something I wanted to ask about a financial institution in the State of Tennessee, I would have no idea who I should call in regard to that particular institution. It is not known to the public generally whether institutions are governed by State charter or governed by Federal charter or by which Federal charter they might be governed.

We have introduced a bill called the Financial Consumer Hotline. What this will allow people throughout the country to do is to dial a toll-free number and someone on the other end of that toll-free number would direct that call immediately to the right place. Right now, the FDIC has to redirect 54 percent of the calls it receives to other entities. You can imagine, if you are a consumer in Tennessee or a consumer in Maryland or a consumer in Virginia, how frustrating that would be, to have an issue and to have to take time, if you will, to find out about that issue and to not know who to call.

When I was mayor of the city of Chattanooga, we had a similar problem in that people did not know how to access city government regarding the myriad of issues with which they had to deal. They did not know which department of government to contact. We realized that and established something called a 311 number. Cities all across the country have done the same thing. What that has done is allow people to dial one number and call in about any issue and have that registered and know that is going to be dealt with.

I certainly appreciate the tremendous partnership we have established on this issue with Senator SCHUMER from New York, who also serves on the Banking Committee and is also aware of the tremendous complications people go through in trying to get to the bottom of whatever issue it is.

This bill has been introduced. I hope my colleagues in the Senate will consider this legislation. It is something that, by the way, does not cost the taxpayers of this country a dime. There is an entity that is directed through regulatory bodies to do this. This is something that does not come out of the taxpayers' pocket. It does not come out of our Treasury. I think it will enhance

the ability of people throughout our country to navigate and get to the bottom of issues they might have with financial institutions.

I notice no one here wishing to speak, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CARDIN). The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY

Mr. DURBIN. Mr. President, if you travel into Maryland or Illinois or anywhere across America and ask people what is on your mind, they are going to tell you it is gasoline prices. Why? Because they have to fill the tank each week and cannot believe how much they are paying with the credit cards and cash in their wallet going out in record amounts to fill their cars and trucks and try to get on with their daily lives.

Then you go driving down any street in America, there is that big sign right in your face: \$4.08, \$4.25. It is a constant reminder of the problems we face. We have tried, on the Democratic side, to move some legislation to deal with this situation. We tried last week to deal with the energy security bill that would have found a way, we think, to start creating an environment to bring down these prices.

It was an effort that most people agree is long overdue. There is a \$17 billion subsidy to the oil industry. Why would you do that when this industry is recording record profits, not just for their industry but for any American business?

We have also tried to deal with energy tax incentives for wind power and solar power and things that are the source of power and energy for America's economy in the future. Twice now, not once but twice, the Republicans have refused to join us in even bringing these measures to the floor. They keep stopping us cold.

The Senate's 51 Democrats and 41 Republicans, with absences, with a 60-vote requirement for most major legislation, is within the power of the Republicans to stop debate. They have done it repeatedly.

There is also a concern across America because the response from the Republican side, not just from our colleagues in the Senate but from Senator McCain as well as the President, has been to call on us to drill our way out of this problem.

I am afraid people who suggest we can drill for more oil in America and take care of our problems do not understand basic math. The United States uses 25 percent of the world's oil supply; we are big users for a big economy. Do you know what we have in oil reserves out of all the known oil reserves in the world? We have 3 percent, 3 percent of the reserves and 25 percent of the usage. You cannot drill your way out of the situation.

They do not understand as well that currently there are Federal lands avail-

able for drilling that are not being put into production; lands that have already been leased by oil companies. These are lands owned by the people of the United States, and the right to drill for oil and gas has been leased to a private company that sits on it and does nothing.

You say to yourself: Well, it cannot be too much because we need oil, it is so valuable these days. Oil and gas companies—let me show this chart—hold leases to nearly 68 million acres of Federal land that are not producing oil.

This land could produce 4.8 million barrels of oil every day. That is six times the peak production of any drilling in Alaska for the Arctic National Wildlife Refuge. Every time you ask a Republican what is the problem, they say: Man, if we could drill in Alaska, everything would be just fine. Do you know how many acres are in Alaska? There are 1.5 million. The oil companies are sitting on leases for 68 million acres now that they are not drilling.

If they did not think they were valuable, they would not have bought the leases. But they did. They wait year after year, sitting on these leases and keep throwing in our face: Alaska, Arctic National Wildlife Refuge, not telling us it would take 8 to 10 years to bring the first barrel of crude oil out of Alaska, and it would have a minimal impact on the price of gasoline.

Let me show you some charts which kind of tell the story about these 68 million acres in more graphic terms. There are 68 million acres leased to oil companies. These are offshore, 33.5 million leased acres unused offshore; 34.5 million leased acres unused onshore.

Take a look at the Gulf of Mexico region. I know it is hard to pick this up in my presentation. But the red areas are areas currently under lease that are not producing oil and gas, owned by the Federal Government, leased to private oil companies, and not in production.

The blue dots are in production. Look at all the opportunity. So when the President has a press conference, or Senator McCain has a press conference, and says: We need to have offshore drilling, the obvious question, Senator, Mr. President, is: What about all these lands, 68 million acres of which are under lease right now for drilling and not being used?

Take a look at this as well. I see Senator DODD has arrived on the floor. He has been one of the proponents of this particular point of view. I thank him for this. He is welcome to take a look at the charts and use them at any time in the future.

Here are 34.5 million acres leased to companies on the onshore site. Look at the Western part of the United States. All this red area is Federal land currently leased to oil companies for production not in production. Now take a look at Alaska, 1.5 million acres. That is what they cannot wait to get into.

The honest answer is the oil companies have opportunities now to produce

more oil and gas. It is time for us to stop hearing the excuses. We have to look to the reality. The reality is the oil companies are making profits at recordbreaking levels. The reality is speculation is driving up the price of oil, and the reality is the President of the United States has yet to call the oil company executives into the Oval Office to tell them they are wrecking the economy.

He has yet to call them in and say: For goodness sakes, start drilling on the land you already lease from the Federal Government. Instead, it is always the next horizon—if we could just get into Alaska, if we could just get into the Outer Continental Shelf.

We shouldn't have to compromise our health or our environment to make sure our economy is strong.

The PRESIDING OFFICER. Under the previous order, time has expired.

Mr. DURBIN. I ask unanimous consent to continue for 5 minutes in morning business and that time not be deducted from the already reserved morning business of 2 hours on each side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Have no doubt, drilling in the Arctic National Wildlife Refuge isn't going to have a dramatic impact when it comes to the world's supply of oil. Even the Department of Energy's Energy Information Administration admits that. By the time the Arctic National Wildlife Refuge would be at peak production, which wouldn't take place until the year 2030, 22 years from now, refuge oil would make up only six-tenths of 1 percent of the world's oil. If one listens to some of the political rhetoric, they would think there is this vast resource of oil in Alaska that is going to come to our rescue. It is not. It is a drop in the bucket when we consider today's high gasoline prices. In fact, the effect at the gas pump wouldn't be felt for over 20 years, and then it is only pennies a gallon.

The Arctic Wildlife Refuge is one of America's last pristine, untouched areas. It is home to more than 200 wildlife species, including polar bears, musk ox, and caribou. President Dwight Eisenhower set this area aside over 50 years ago and said: This is something we need to preserve. This is a once-in-a-lifetime-and-beyond opportunity to protect some treasure for future generations.

Ms. MIKULSKI. Will the Senator from Illinois yield for a question?

Mr. DURBIN. I am happy to yield.

Ms. MIKULSKI. I have been listening to the Senator's statement. Today I understand the President wants to lift bans on drilling; is that correct?

Mr. DURBIN. That is my understanding.

Ms. MIKULSKI. I missed part of the Senator's statement. Don't the massive oil companies already have substantial acreage they could start drilling on right now?

Mr. DURBIN. The Senator from Maryland is correct. There is 68 million

acres currently under lease to oil companies, Federal land owned by the people for which oil companies are paying money each year for the right to drill for oil, 68 million acres and no drilling taking place. So when the President announces: We just have to find more Federal land to drill on, the obvious question is, why aren't they drilling on the 68 million acres offshore and onshore they currently have under lease?

Ms. MIKULSKI. I find that shocking. I note that the 68 million acres is about six ANWRs.

Mr. DURBIN. If we consider the 1.5 million acres on which they want to drill in ANWR, it is 50 times.

Ms. MIKULSKI. That is not fuzzy math.

Mr. DURBIN. That is not fuzzy math. This 68 million acres would be the size of my home State of Illinois and its adjoining State of Indiana together. That is how much they currently have under lease to drill for oil that they are not touching.

Ms. MIKULSKI. Does the Senator agree, rather than change policies to prevent gouging of consumers and speculation in the market, they would rather change the subject?

Mr. DURBIN. That is clearly what they are doing. Anyone who has had a crying baby knows what a pacifier is. You try to get the pacifier in the baby's mouth so they will calm down. They may still be hungry or crying for some other reason, but you try to quiet them down. That is what we are hearing in response.

When people say drill in Alaska or drill offshore, they want to quiet us down because when we look at the numbers, the numbers do not compute. If we are going to be honest about energy sources, there is a limit to how much we can drill in territory controlled by America. There is much more we have to do to lessen our dependence on foreign oil. We are talking about domestic sources—ethanol, biofuels, diesel. We are talking about renewable and sustainable sources of energy such as wind power and solar power that would not destroy the planet with global warming. That is the big challenge.

Sadly, for 7½ years, this administration has ignored it. Now we are in a terrible situation. I wish this President would show leadership and bring in the oil company executives, sit them down in the White House, and tell them they can't keep demanding these high profits at the expense of American families and businesses. Tell them to start drilling on lands they are currently leasing; try to challenge America to move forward in a fair way to have affordable energy.

I am glad the Senator from Maryland joined me in this conversation. I know she has an important agenda she will initiate now.

I yield the floor.

Mr. DODD. Mr. President, I rise today to speak in favor of legislation that I think will help to address some

of the most important challenges facing our Nation's economy today. The Renewable Energy and Job Creation Act of 2008 is a critical step toward forever breaking the crippling hold that foreign oil has on our Nation. It will provide American entrepreneurs with incentives to develop new, environmentally safe energy technologies and create jobs that will stay in the United States, while strengthening all our communities. The bill will also provide important tax breaks for middle and lower income families at a time when the economic pressures on them are enormous.

To be sure, Americans are waking up to bad news about the economy each and every day. For months now we have watched as prices for gas and food have climbed. We have witnessed a foreclosure crisis that has ravaged our economy, and put 7,000 to 8,000 Americans in danger of losing their homes each day to say nothing of the 15,000–16,000 Americans who become neighbors to homes in foreclosure. As if this did not paint a dismal enough picture, since January of this year the American labor market has hemorrhaged more than 324,000 jobs and the number of people seeking unemployment benefits has hit 8.5 million.

The time has come to change how our economy operates—and that starts with what our economy largely runs on. The time has come to end our dependence on oil.

Each day new energy technologies are being developed and advanced, and these technologies need help to grow and become viable, cost-effective alternatives to oil. For nearly a century, technological innovation and the intellectual capital of our industries have been the engine driving American prosperity. But this administration's repeated quest to open more of Alaska and more of Florida's coast to drilling comes at a high price indeed—not only at the cost of our environment but also long-term economic stability.

By extending tax provisions such as the research and development tax credit, the solar energy and fuel cell investment tax credit and the renewable energy production tax credit, we make a bold statement to the world. We would be saying that the United States is dead serious about clean, sustainable, energy independence.

The State of Connecticut is home to firms who are at the cutting edge of wind and solar energy development. These firms are creating new jobs, in emerging industries, that will be serving all Americans—jobs that cannot and will not be outsourced, like so many have been under the Bush tax regime.

Of course, this bill provides so much more than energy tax breaks. It also extends the child tax credit, the qualified tuition deduction and other provisions that help lower and middle-income families make ends meet, and afford higher education costs. According to the Joint Economic Committee,

from 2000–2007 the median household income in Connecticut has increased by a mere 1 percent. Meanwhile, the cost of a gallon of gasoline in our State consistently tops the national average, and the cost of going to college in the State has risen by 29.1 percent since 1999.

For Connecticut, the need to act is clear. And with this bill, we are.

This legislation is paid for. The cost of these tax provisions will not, as the Bush tax cuts of 2001 and 2003 did, merely pass the cost on to our children and grandchildren. This bill provides crucial incentives for job creation, as well as middle-class tax relief, but it also pays for these benefits. It does so by changing the tax rules for executive compensation, and delays a rule that would provide incentives to firms operating abroad. And so not only do we hope to offset some of the economic ills that America is currently struggling with, this legislation also offers a big step toward restoring fiscal responsibility to our government, which this administration has utterly abandoned.

Now, our colleagues on the other side of the aisle are opposed to this fiscally responsible legislation for no other reason than that they are opposed to paying for tax breaks—opposed to the belief that future generations should not be stuck with our bill.

I see it differently—as does the business community of our Nation which supports these offsets for a simple reason:

Because they recognize the benefits that this legislation will provide not just to their bottom lines but to our economy.

Unfortunately, some in this body remain unconvinced—unconvinced that these tax provisions will spur new job creation, move us further towards energy independence, and restart our economy.

On June 9, a consortium of more than 300 different American businesses signed a letter to Chairman BAUCUS and Ranking Member GRASSLEY urging the Senate to work together in a bipartisan manner to pass this bill. These businesses represent some of the largest employers in our Nation, and at this moment the partisan paralysis that is affecting this body has put them in an awkward position. Many of these provisions are set to expire in December, and now is the time many of these employers are working to plan ahead and solidify new contracts, and sign new employees. They are making decisions about their futures. A recent study estimated that if we do not extend the tax provisions in this bill, we will not only lose \$19 billion in clean energy investment, but also 116,000 potential green jobs.

It is time for us to recognize that to get our economy back on track, we must lead. We must make critical decisions about the future of our Nation. And above all, we must put politics aside and work on behalf of not our political parties but the American people.

I urge my colleagues to join me in supporting this critically important legislation.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to a period of morning business for up to 2 hours, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first hour and the Republicans controlling the next hour.

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the following Senators be permitted to speak for up to 5 minutes: Myself, MCCASKILL, FEINSTEIN, LANDRIEU, MURRAY, BOXER, STABENOW, KLOBUCHAR, and LINCOLN.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHECKLIST FOR CHANGE

Ms. MIKULSKI. Mr. President, I take the floor today as the dean of the Democratic women in the Senate. I say to my colleagues and to all who are watching: We women are mad as hell, and we don't want to take it anymore. We are mad that in this institution, when all is said and done, more gets said than gets done.

We are here today, united as Democratic women, to be a voice, a voice for change. We have a checklist for change we think we can do before this Congress adjourns.

These are issues that focus on the big picture of what our country is facing, but they also focus on the impact these issues have on families. We look at macroissues that affect the world and the macaroni-and-cheese issues that affect families.

In order to get things done, women have checklists in their daily lives—whether it is to get the laundry done or pick the kids up from school. We have a checklist on what we want to do in terms of a legislative agenda. This is not about gender; it is about an agenda. We invite the good men of the Senate to join us, and we hope that people from the other side will join us. We want to work to bring about change, and we start with wanting to end the gridlock.

Look at these issues for which we stand. We want to provide equal pay for equal work, good jobs that stay in the United States, we want to make health care affordable, we want to take care of our military families and veterans. If they fought over there, they should have a safety net back here. We also want to restore America's credibility in the world, protect our environment. We are looking out for gas, and we are looking out for groceries. We want to make sure there is another FEMA. And, along the way, we protect the family checkbook. We want to

make sure we get rid of the boondoggles that are eating up our Federal budget.

For me, I am the leadoff. But every woman here has an issue to which she will be speaking. What do I want to speak to? I want to speak to equal pay for equal work.

Members might recall a few weeks ago we brought legislation to the floor to correct the gap in wage discrimination law. We lost that, but I said when the vote was over: The issue is not gone. I called upon the women to put their lipstick on, square their shoulders, suit up, and fight for an American revolution. This is why we are here today. This is another salvo.

Many people think, wage discrimination, didn't we solve that? No. Wage discrimination still exists. Women are earning just 77 cents for every dollar our male counterparts make. We can see this now in the famous Ledbetter v. Goodyear case. Lilly Ledbetter, a hard-working woman, challenged the system. She didn't find out until years later that she was being paid less than her male counterparts. She took it to the EEOC. The corporation fought her every step of the way. It ended up in the Supreme Court. The Supreme Court made an outrageous decision. They said she waited too long to file her complaint. The Court also said she didn't do it in time.

We think it is about time we change the law. What we want to do is bring back the Lilly Ledbetter legislation called the Fair Pay Restoration Act. We want to bring it back up for a vote because equal pay for equal work is about fairness. It is about justice. It is about respect. It is going to close the loophole on the so-called statute of limitations on when one can file a wage discrimination case. We believe the current practice has been a good one, but we disagree with the Supreme Court.

We are going to bring it back up for a vote. We ask our colleagues to join us. We don't want our agenda to die in parliamentary entanglements. What we want to do is untangle this law and make sure women get equal pay and experience it in their personal checkbook, and we have to change the Federal lawbook.

We are ready. We are suited up. We have signed up. Join with us. We know the Presiding Officer is one of the great guys in the Senate who supports us. Before we go out at the end of this session, let's bring about change. Let's make America proud of their Congress. Let's turn the page.

I yield the floor to my new but very able and experienced colleague from Missouri, who has been fighting boondoggles in that Federal checkbook.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mrs. MCCASKILL. Mr. President, the United States is so lucky to have the senior Senator from Maryland in this august body. She is smart and feisty, and she is not willing to yield any

ground when she thinks the people she represents are not being treated as they should be.

For women in this country, she has been a tremendous beacon of light and hope to finally get over some of the barriers that have held women back historically. So to the dean of the Senate women, I thank her for her leadership as we work on this checklist for change.

One of the things we want to check off the list is fiscal accountability. It sounds kind of boring, fiscal accountability. It sounds like this is where the numbers drone on and one loses track.

This is a big deal. This administration has driven us into an economic ditch. The numbers, frankly, are so big it is hard to believe they are real. Federal spending since President Bush took office has increased by almost \$1 trillion. Let me say that again. Federal spending under this President and under the leadership of the Republican Party has increased by \$1 trillion. Our debt has gone up by \$3.7 trillion. We now have a debt of \$9.3 trillion.

This is change that is not just important, it is urgent. We must be fiscally accountable for taxpayer money. It sounds nice, right? It is a moral imperative for our kids. It is the right thing to do for the generation that comes behind us, for our children and grandchildren. We are presenting them with a train wreck of unprecedented proportion if we don't get our fiscal house in order.

So how do we do that? The Checklist for Change is all about being tough and accountable with taxpayer money. The way you do that is: First, how do you spend it? Do you give out contracts based on whom you know? This administration has. Is it about cronyism? Too often it has been. Is it about no competition? Unfortunately, yes. Is it about cost-plus contracts? As a former auditor, I will tell you, cost-plus contracts have no place in Government. Cost-plus means, hey, you can charge the Government whatever you want, and then you get to make money on top of that.

Believe it or not, that is the kind of contracting that ruled the day in Iraq. As we were faced with a war that we did not have enough men and women to fight, we had to contract out such as our country has never contracted out in a time of war. What happened? We lost—and I am being conservative now because auditors are conservative by nature—literally, over \$150 billion that went up in smoke to waste, fraud, and abuse.

War profiteering. There has been an orgy of war profiteering during this conflict in Iraq. If we focused on the Department of Defense and the way they contract, we could realize enough savings so every young person in America could have help going to college, so every young child in America could have preschool—if we paid attention to the way we do contracting in the Department of Defense.

I will tell you, today is a good day. I wish to say to my colleagues, today is a good day because today a decision was rendered that shows we can get it right if we force companies to compete and we enforce the provisions of those contracts.

A major, expensive contract was the tanker deal at the Department of Defense. There was a competition—good news. A company was awarded the contract—fine. There were problems. So what happened? The losing company went to GAO, under our process of procedures, and said: Auditors, take a look at this. You tell us whether this contract was done fairly.

The good news is, GAO, as it always does, did its work professionally, and they announced their decision today and said Boeing was, in fact, treated unfairly in the tanker deal, that Boeing did not get a fair shake under that competitive contract, and that, in fact, the Air Force must change its decision as it relates to Boeing and the tanker deal.

Do I think that is important? Yes. But why is it important? It is important because what we have said from the beginning is compete these contracts. Do it fairly. Respect taxpayer money. Get a bargain. That is what women in America relate to because we are all about getting a bargain for our families. We need to treat taxpayer money the same way.

I am proud to be part of the Checklist for Change. I am proud to be emphasizing fiscal accountability.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank you very much.

I particularly salute the Senator from Maryland. I thank her for her leadership of our group of Democratic women. Senator MIKULSKI has, from the get-go, been there for the women of the Senate. This is the second time I have participated in this Checklist for Change, which she has put together.

I also salute Senator MCCASKILL, who was on the floor, who has brought a very talented dimension to our group of women.

I think, as the other Democratic women as well come to the floor to discuss this Checklist for Change, you are going to see one thing; and that one thing is, we are all very committed to this country and very committed to see this country do the right thing by her people.

So it is with a great deal of pleasure that I participate in this effort. I thank both of them and the women who will come after me speaking as well.

My comments are forged by 15 years on the Senate Judiciary Committee. With the exception of Senator Moseley-Braun for a short period of time, I am the only woman who has served in history on the Judiciary Committee of the Senate and also serving 7 years as a member of the Intelligence Committee.

I have always taken great stock in the fact that the United States of

America has been a beacon of hope because people all over the world look to American justice and American human rights for inspiration.

We have represented not only a brighter future for people, but we have represented a government of law, a government under the Constitution, a government by the people, for the people, with justice for all—not just for a certain few but all.

Now that beacon has been dimmed. Despite President Bush's promise that the United States would fight the war on terror consistent with American values and "in the finest traditions of valor," the decision was made, as Vice President CHENEY said in 2001, to "go to the dark side."

Indeed, this administration has put our Nation on the wrong track in so many ways, including: creating a prisoner of war detention facility at Guantanamo Bay with a separate, lesser system of justice—now repudiated by the Supreme Court; authorizing interrogation techniques that constitute torture; reopening the nuclear door by seeking to develop low-yield battlefield nuclear weapons and 100-kiloton nuclear bunker busters; countenancing, for the first time, the use of nuclear weapons as a first strike against a non-nuclear threat, if chemical or biological weapons were threatened—not used but threatened—against the United States; preemptively invading Iraq, under the guise of weapons of mass destruction and a false nexus to al-Qaida.

So, today, we see America's credibility in the world diminished, and the administration's policies have become a recruiting tool for our enemies. So, in 7½ years, this great country has gone from a nation embraced to a nation often tarnished.

Yes, the time has come for a change. The time has come to: lay out an exit strategy in Iraq so we can begin to bring our people home; close Guantanamo, shut it down. The Secretary of Defense says shut it down. The former Secretary of State says shut it down. Governor Kean, Congressman Hamilton, a litany of four-star officers and flag officers have said shut it down. It does not become America's values.

The time has come to stop America's use of torture; establish a uniform standard for detentions and interrogations across our Government. This is part of the Senate's Intelligence authorization bill, and it will remain part of this bill. That bill essentially says all elements of the American Government will utilize the Army Field Manual and the procedures therein, both the prohibitions on eight specific items of torture as well as specific techniques to move ahead.

The time has come to use robust diplomacy; create coalitions; listen to allies; talk with adversaries. This makes us stronger, not weaker.

The time has come to develop a new, sensible nuclear weapons policy, so we do not encourage the very kind of proliferation we seek to prevent.

Yes, the time has come for change. The time has come to restore America's credibility as a moral and just nation, dedicated to liberty and justice.

We are the greatest military and economic power the world has ever seen. Our global influence is unmatched. For the past half century, our country has embraced international cooperation, not out of vulnerability or weakness but from a position of strength.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. FEINSTEIN. Mr. President, if I can finish with this last statement.

Our strength as a nation emanates not just from our power but from our moral stature and our principled stand for truth, justice, and freedom. It must be restored.

I say to the Presiding Officer, thank you for your indulgence.

Mr. President, I see the distinguished Senator from Louisiana, whom I also compliment. I see my fellow colleague from California. They are part of Senator MIKULSKI's Checklist for Change.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, I thank my colleague from California, and I am pleased to join my colleagues in calling for the change Americans are hoping for, which this next election opportunity will bring, to focus on issues that need so much change in America.

One of the items on the top of our Checklist for Change is a FEMA that works, a plan that treats local and State governments as respected and able partners, having a disaster plan that spends taxpayer dollars with care and efficiency, having a plan that puts a premium on helping families and extended families stay together through an ordeal that rocks the economic foundation and future of so many families as they are displaced, sometimes for weeks, sometimes for months, and, yes, even sometimes for years.

We need a new FEMA. We need a muscular, robust, able, efficient, and effective FEMA to be a true partner with local and State governments and individual businesses and families in times of disaster.

I have spoken many times on the floor about the disasters of Katrina and Rita and how it affected the gulf coast, from Beaumont to Mobile, with the great city of New Orleans and the metropolitan area being most directly affected. But we are not isolated in that suffering by any means.

This week, we have seen what is happening today in Iowa, Wisconsin, Indiana, and Illinois. There has been \$1.5 billion in damages in Iowa alone, and 38,000 Iowans have been evacuated. More than 3,500 National Guard are deployed. More than 4.8 million sandbags have been used. I could go on and on about the towns that have been completely evacuated.

Yes, New Orleans was completely evacuated. So was Saint Bernard Parish and so were large swaths of Jefferson Parish—a parish of more than 450,000 people—3 years ago this August.

But today the towns of Hartford, Palo, and Fredonia have been completely evacuated—not as large as New Orleans but towns of substantial populations.

The question is, Does FEMA have its housing plan together yet? Is there a plan for people to be able to get their medicines if they are relocated, to get their prescription drugs from their hometown pharmacy or their neighborhood? I am not sure that has been done yet.

So we need a FEMA that works. We need an administration that understands it is not just disasters far away but disasters right here at home and that homeland security starts with hometown security, where people can be secure in their neighborhoods, in their homes, and that the levees that have been put up to protect them will actually hold the water and will not be breached or overturned.

We do not have that confidence right now in America. So not only do we need a new FEMA, but we need a FEMA that will be an advocate for proper investments in infrastructure.

It is embarrassing, I believe, to be in the atmosphere we are in, where people can look up and any day a bridge could collapse or any day a levee could break. We cannot prevent tornadoes. We cannot prevent hurricanes. We cannot prevent earthquakes. But I promise you, we can do a lot more than we are doing now to reform the Federal emergency system so it works better with local and State governments so that when earthquakes happen, when hurricanes happen, when other disasters happen, the people of the United States are getting the help they need.

So that is one of our top issues on our Checklist for Change: a disaster planning and response system second to none.

It is a long list. But it is a list that must get done. That is, in large measure, what this next election is about. It is about the kind of leadership that is going to bring about the changes necessary, so when a business collapses after 20 or 30 years of making a profit, or longer, when families' homes are destroyed, they have a Government they can count on—not to give them charity but to give them a hand up, to respond, to help them get back on their feet economically, spiritually, and emotionally. That is what our Government can do.

So I am proud to join this team. Again, we are asking for a FEMA that works.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from California is recognized.

Mrs. BOXER. Madam President, it is wonderful to join the Presiding Officer, Senator LANDRIEU, Senator FEINSTEIN, and the other women who have come to join us.

I have to say to Senator MIKULSKI, the dean of the Democratic women, how much I appreciate her leadership and her ability to connect with the

American people. When she brought us together the first time—and it was a while back—she said: You know, we women at home make a checklist of the things we have to do for our families and the things we have to accomplish for the people who depend on us. Well, let's do the same thing for the people whom we represent. What emerged is each of the Democratic women picked an issue she knew we needed to have change on, and we have heard about some of them. As the chairman of the Environment and Public Works Committee, I am so proud to have that opportunity—the first woman, the first Californian to chair this committee.

I can just say, because I know this: We desperately need change when it comes to the environment. When we say the word "environment," some people think about the beautiful ocean, and they should; and they think about beautiful wetlands, and they should; and they think about beautiful lakes and streams and rivers and clean, flowing waterfalls, and they think about beautiful creatures that roam our environment, and all of that is true. But when we cut through it, a clean and healthy environment means healthy families. Healthy families means people who can work, kids who can go to school and not have to leave because they have asthma. These are the things we have to remember.

For 7½ long years now, since George Bush became President, this administration has done everything it could to roll back landmark environmental laws. What are these laws? The Clean Air Act, the Safe Drinking Water Act, the Endangered Species Act, and the Superfund Act. In every case, they have done this.

They have also stopped our progress on global warming. We had a bill on the floor a couple of weeks ago. They sent out a message that they were going to veto this bill, even before they saw it amended. Imagine.

I wish to tell the Senate—and I know there are a lot of folks who are watching in their offices—what I mean specifically by this terrible record of the Bush administration and why we want change on the environment. The first thing George Bush did—and I don't know if the Presiding Officer remembers—when he became the President in terms of the environment is try to weaken safe drinking water standards. He tried to actually roll back the standard for arsenic in drinking water—arsenic in drinking water. He tried to slip it through, weaken the standard. I remember working with Senator MIKULSKI on that issue. We turned it back. We worked in the Senate, and we stopped it. Then, a National Academy of Sciences study found that EPA had actually underestimated the cancer risks from arsenic in tap water, yet there was an effort to roll back the standard for arsenic.

Then there is perchlorate. Thirty-five States have a real problem—most of

our States—with perchlorate that has seeped into drinking water and seeped, therefore, into some of our agricultural products. Perchlorate comes from rocket fuel. It is a very dangerous leftover from rocket fuel. Let me tell my colleagues, it poses risks to the thyroid and special risks to pregnant women and infants.

The Bush administration not only has failed to set a standard for perchlorate, but it has stopped enforcing a law that says the water companies and the water utilities have to let people know how much perchlorate is in their drinking water. They no longer have to test for perchlorate. They have not set a standard. Here is their excuse: We don't have enough information. Massachusetts had enough information; they set a standard. California had enough information; they set a standard. But the great big Federal, National Government doesn't have enough information. We know perchlorate is dangerous, we know it is an endocrine disrupter, and we know what that means for pregnant women and children. It is bad news. They are doing nothing. That is why we have the environment on our checklist for change.

Mercury. Mercury is toxic to the brain. Let me repeat that. Mercury is toxic to the brain. We know that. There is no question about it. The Bush administration, under pressure from big utilities—I ask unanimous consent for 1 more minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. The Bush administration, under pressure from big utilities, set weak requirements for toxic mercury emissions, and now there is a big court case, and believe me, they are going to lose it.

There are other things. They slowed down Superfund cleanup. They are not protecting endangered species. They are weak on protecting us from smog pollution, particulate matter that gets into our lungs. We are talking about life and death, and then we are talking about global warming, the future of the planet.

Today, the President said to forget the offshore oil drilling moratorium in the most pristine waters of our coastline. Go in there and let the oil companies drill. What he didn't tell the American people is his father put that moratorium in place. What he didn't tell the American people is that there are 68 million acres of untapped leases the oil companies hold that they haven't drilled on, and he would put at risk God's gift that we have been given on these coastlines and he would jeopardize a \$60 billion coastal recreation and tourism economy that fosters more than 2 million jobs.

I am so proud to stand with the Presiding Officer and the Democratic women of the Senate, standing next to this checklist for change: Equal pay for equal work, good jobs, health care, taking care of our military and our veterans, restoring our credibility in the

world, protecting the environment, making us energy independent, preparing for future disasters, enforcing fiscal accountability, and protecting the family checkbook. This is a moment for change, and we Democratic women of the Senate wish to be agents of that change.

I thank Senator MIKULSKI, and thank you very much, Madam President.

I yield the floor.

Ms. MIKULSKI. Madam President, before the Senator leaves the floor—and we know our good friends, Senators STABENOW and KLOBUCHAR, are here who will speak. We know gas prices are a woman's issue. If anything is driving up groceries and family bills, it is gas.

This whole issue today of lifting the ban on drilling—is the Senator from California aware that there are currently 68 million acres of land, Federal land, on which the oil companies have a lease, and if they wanted to drill, they could drill?

Mrs. BOXER. That is right. The Senator from Maryland is reiterating what I said in my statement. Absolutely. We have learned that they have 68 million acres of leases, both onshore and offshore, and they are not drilling. They are holding those, I believe, for speculative purposes. Now the President announces—even without them lifting a finger on those leases, he wants to destroy the coastlines that are the economic engine of the Senator's State, my State, and many other coastal States. Yes.

Ms. MIKULSKI. Does the Senator share my frustration—and I believe the American people's frustration—that the President is trying to change the subject rather than change the policies, particularly the policies where he could, by Executive order, deal with price gouging of the consumer as well as the casino-like speculation that is going on?

Mrs. BOXER. Absolutely. My friend is so right. The Senator from Maryland is right.

This Senator from California can tell you this: His proposal to destroy our coastline is an economic disaster, and he has avoided going after the oil companies and their supply manipulation. He is ignoring the speculators. We believe they have added \$30 to \$50 to a barrel of oil. He is ignoring his Antitrust Division. He is doing nothing.

By the way, his own administration said today that even if they lifted this moratoria and every single inch was drilled—let's just say that were true, although we would never allow that to happen—we wouldn't feel one penny of price reduction until 2030. What he said is not true. This is changing the subject, and he is not using the power of the Presidency to go after the people who are manipulating this market. My colleague is correct.

Ms. MIKULSKI. So if people really want their gas prices lowered today, they should just e-mail the President and say: Don't change the subject,

change the policies. Get rid of price gouging and get rid of the speculation. You can do it by Executive order.

Mrs. BOXER. Exactly right, I say to my friend.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Ms. STABENOW. Madam President, I wish to thank our dean of the Democratic women, Senator BARBARA MIKULSKI, for once again being right on point and Senator BARBARA BOXER for her leadership as it relates to protecting our environment and energy security. She and Senator MARIA CANTWELL have been our leaders as it relates to cutting gas prices and at the same time doing those things that allow us to protect our beautiful land and water and air. So I wish to thank my colleagues.

Listening to the discussion about what is happening in terms of gas prices just brings me back to what is an essential part of our checklist for change; that is, making sure Americans have jobs. We are going to pay those high gas prices which are absolutely outrageous. Senator MIKULSKI is right, it takes a change in policy. Senator BOXER is right when she talks about the fact that there are a lot of places the oil companies could be drilling right now. That is the problem. Right now, instead of buying more corporate jets and putting more money into bonuses for themselves, if they were to reinvest in the land that is already there, that would address their concern about supply. We know what is really happening. Unfortunately, for the last 8 years, we have literally had two oilmen in the White House, and we have watched the price of gasoline go beyond our wildest expectations. I know people in Michigan never would have thought we would be at over \$4 a gallon.

To add insult to injury, during this same time when we are looking at foreclosure rates at the highest level in my lifetime, certainly, and gas prices at the highest levels, food prices going up, the cost of health care going up, what is going down—and what is frightening for families across America—is their incomes, their jobs, and their standard of living. Just since January, 324,000 good-paying American jobs have been lost—just since January of this year, 324,000 families without a job, yet paying those high gas prices, paying those high food prices, trying to figure out how to send the kids to college or to pay tuition if they are in college. How do I make ends meet? How do I have my piece of the American dream when I am losing my job or my income is going down?

Our checklist for change is about the things Americans want to have happening in this country. It is frightening to see that since 2001, we have lost 3 million—3 million—think about this number—3 million manufacturing jobs in this country. Certainly, the people in Michigan have taken a big hit of that 3 million. But overall now, considering all of the policies and the lack of

action, including the dollars being sent to a war in Iraq rather than being invested here at home, we now are in a situation where 8.5 million Americans are unemployed—8.5 million Americans.

Our Republican colleagues would say: They should just go find a job. We don't want to extend unemployment benefits because that encourages people to stay home. That makes no sense if you are somebody who has been out of work trying to keep your house, trying to pay the food bill and the gas bill and everything else. But the reality is that we have about 4 million jobs in this country right now and 8.5 million people out of work—roughly 4 million available jobs and 8.5 million people unemployed.

We also have what I call a race to the bottom in general economically where Americans are being told: In a global economy, if you will only work for less, we can be competitive. If you will only lose your pension, lose your health care, we can be competitive.

We reject that. Our checklist for change rejects the notion of a race to the bottom and the loss of our American way of life.

What we embrace are strategies that create good-paying jobs, middle-class jobs at home in America. What we embrace is a race to the top. We want to export our products—not our jobs—in a global economy. To do so means a level playing field on trade, enforcing our trade laws, as well as creating new trade agreements. We want to make sure people are not losing jobs because of the high cost of health care, the burdens on small and large businesses today. So we believe the race to the top means a change in the way we fund health care in this country.

Finally, we understand it means investing like crazy in education, in innovation. That is the race to the top. That is what we embrace in our checklist for change. I am very proud of the fact that the Democratic Senate and House have put together a budget resolution for the next year that focuses on three major areas of job development—jobs and innovation through our green-collar jobs initiative; investing in the new advanced battery technology for the new vehicles; investing in conservation and energy efficiency through buildings and other kinds of efficiencies that are so important; job training in the new green-collar economy, investing not only in biofuels but making sure the pump is actually there, so when you drive your vehicle, you can get biofuel or biodiesel—you can actually find a pump. So green-collar jobs are an important piece of what we have put in place.

Secondly, jobs in America. When we are rebuilding highways, bridges, and water and sewer systems, those are jobs that will not be exported overseas. Those are good-paying jobs in America. Our checklist for change, as well as our budget, believes change should be done, and we can invest in good-paying jobs at home.

Finally, in our budget resolution we invest in job training and make a major investment in opportunity through education, from preschool all the way up to college.

We know that serious changes need to be made in the priorities of this country. I had the opportunity a while ago to be on a television show following a Republican colleague—a woman in the House—who looked at our checklist and said: We Republicans can support all those things.

In looking at that, I am scratching my head and going: We have had 6 years with President Bush and an entire Republican Congress, and they had control of every piece of the Government. They were not focusing on jobs, energy alternatives, fiscal accountability—as the occupant of the chair has talked about—or education or equal pay for equal work. They didn't fix that. They didn't address these issues that American families and businesses are asking us to do.

In the last 2 years, instead of working with us on the changes we have initiated, we have been blocked over and over again on the floor of the Senate. All we get is filibuster, filibuster, filibuster. So we come to the floor and to the American people as Democratic women who have been fighting, along with our Democratic male colleagues, for real change that will send gas prices down, not up, and that will send health care costs down, not up, and make it more available, to bring food prices down and, most important, bring wages up.

In the greatest country in the world, we can do better than losing 324,000 good-paying jobs just since this past January.

I am proud to join my wonderful colleagues in putting together a checklist that speaks to the things we know American families want to see happening. We are going to do everything possible, both this year, and as we go to the changes that we hope will happen next year, to embrace and actually get results on our checklist for change.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Ms. KLOBUCHAR. Madam President, I am proud to follow the Senator from Michigan, who has done so much to fight for jobs in her State, with its difficult economic conditions, and speak from the heart not only as a Senator but as a mother when she talks about this checklist for change.

So many of us who have come to the floor today are not just Senators but also mothers. I think about my family generations back and the women who have kept the checklist. My grandmother in Ely, Minnesota—I think of her writing in her perfect handwriting the lists that she made throughout the day. My grandpa, her husband, worked 1,500 feet underground in the mines in Ely. Neither of them graduated from high school. She had a checklist for her family. That list was making sure—at

the top of that list—that my dad and his brother went to college. They saved money in a coffee can in the basement of that little house. They had that coffee can to save the money in to send my dad and his brother to college. And I think of my own mother, who got divorced when I was about 16. My dad was always there for me, but my mother had to decide she was going to try to stay in her house raising two kids in the suburbs of Minneapolis. She decided she had to go back to work when they got divorced. She would write on the calendar in blue ink, which I remember.

In her head I know she was thinking would she be able to raise her kids and stay in that house when she retired. She ended up having to teach. At age 70, she had 30 second-graders. At age 80, she is still in that house. So she did it.

As for me, my husband and I have our own checklist on the refrigerator, with the things on it that we have to buy from the grocery store. Last week, my daughter who is 12, added to the checklist to get her a swimming suit for the seventh grade pool party.

So I think all the women in America understand what it is like to have these lists. What we are talking about today is a checklist for the entire country. For all of us, every American family, on the top of that checklist is balancing the family checkbook, protecting the family checkbook. As families sit down every day at the kitchen table to write their budgets and figure out if they have enough to make ends meet, they find out that things on their list cost a lot more. They have to manage to do a lot more with less.

In fact, as you can see on this chart, in the last 7 years since this administration took office, the average family wages have gone down \$1,175 for your average middle-class family making around \$48,000 a year. That is hard enough, but at the same time, as we all know, the average family expenses have increased. I can tell you that these are last year's figures, before we saw the huge increase in gas prices. But the average family expenses have increased more than \$4,500, and this is per year. We are talking about higher mortgage payments of \$1,700; higher gas bills of \$2,000; high food costs of \$230; higher phone bills of \$112; higher appliance costs of \$42; and higher health insurance, which is up \$363.

When you look at the wages lost and expenses gained, that is \$5,739 per year out of the average American families' checkbooks. So families are feeling the hurt. They are not doing anything wrong, but this is what we are seeing all over this country.

Why is this going on? In part, it is because everybody is nickel-and-diming our families. The oil companies are taking a huge chunk out of the family checkbook every week. In Minnesota, I saw family cars wrapped around the block at Costco, waiting in line for the discount gas pumps—just to save a few bucks.

Energy costs are skyrocketing, grocery bills are climbing, and while families are looking for ways to save every penny, big companies continue to nickel-and-dime them.

The drug companies are nickel-and-dime consumers by refusing to negotiate drug prices under Medicare Part D. The predatory lenders and unscrupulous creditors are taking a chunk out of the family checkbook with credit card scams and bad loan deals that are bringing down the values of homes.

Cell phone companies are nickel-and-dime families with early termination fees and excessive charges. Middle-class families are being squeezed from all sides, trying to keep up with the costs. You have heard about the "sandwich generation"—middle-class families trying to take care of their kids, while at the same time taking care of their aging parents.

Look at the cost of college and child care. Today, I am not sure my grandparents could have ever fit the money for college in a coffee can. The average student graduates with more than \$25,000 of debt. We owe our students a better start in life. Meanwhile, while my mom scrimped and saved to keep her house into retirement, many families do not have that same luxury and, instead, are putting every penny into nursing home living facilities.

On top of these financial worries, parents who may want to get a toy for their child's birthday are trying to save a few dollars, and they worry if they are going to get a toy that contains lead. They wonder about the tomatoes they bought at the store, or whether the pool drain in the local public pool will hurt their child. They worry: Is my family safe?

This isn't the American dream, and it should not be in this day and age. American families deserve an advocate for them, and the Democratic women today in the Senate stand ready to be those advocates, ready to make the change these families desperately need.

We not only need to change the agenda to help our middle-class families, we need to put a little change back in their wallets.

This last year, we stood up for America's middle-class families and their checkbooks: making college more affordable, increasing the minimum wage for the first time in 10 years. We took on the special interests from the oil companies to the toxic toy manufacturers.

So much more needs to be done to protect American families' checkbooks. We need to give tax breaks to the middle class by closing the loopholes that benefit only the wealthy.

We must put America's families first and find the relief they need from rising prices and falling wages and help them protect the family checkbook.

We must put the people of the country first, not the special interests, by enacting comprehensive, affordable health care reforms to make health care more affordable and enact a com-

prehensive energy policy so that instead of spending \$600,000 a minute on foreign oil and sending that money to the sultans of Saudi Arabia, we are spending it on the farmers and workers in this country.

We must be vigilant in protecting consumer rights, as we stand on the verge of passing the most sweeping consumer product reform in 16 years. We must continue to keep toxic toys and products off of our shores and out of our stores.

This checklist for change is from a group of women who all know what it is like to balance the family checkbook, and we know it is time for a change. The American people know it is time for a change.

As Senator BARBARA MIKULSKI, the dean of our delegation of women Senators, said today as she called on women of the Senate to work on this together: I call on the women in this country to put on your lipstick, square your shoulders, and suit up and take up this fight for change.

We are here today, shoulders squared, and with a checklist to accomplish the change that American families so desperately need.

I see that my colleague from Arkansas, BLANCHE LINCOLN, is here. She has always been a strong advocate for America's families. We both have children in the same junior high school. Mine is in seventh grade, quickly going into eighth. Hers are in the sixth grade. We have been dealing with the half schooldays in the Virginia schools. So it is good to be here together to talk about that issue.

I turn it over to the great leader from Arkansas, Senator LINCOLN.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mrs. LINCOLN. Madam President, I thank all of my colleagues today. I am so pleased to come down to the floor and join my fellow Democratic women colleagues in the Senate to discuss our checklist for change.

Just so that people know, this checklist is not new. We started this several years ago. We got together and realized that all of us kept lists, like our mothers and grandmothers before us. Those checklists were helpful in accomplishing things. If there is anything we recognize from our constituents, it is that they are desperately wanting their Government to provide results, to get the results that the American people need, and they want to be able to move forward. And so we decided at that point, several years ago, that a checklist for change would be a good thing.

So here we come back to this body, come back to our colleagues presenting, yes, another checklist for change and to say it is time to change the direction our country is going in, and here are some of the biggest priorities we face. These are age-old problems that we need new and innovative solutions to, but they are not problems we can't solve. When we come together,

when we work together, we can solve these problems and bring forth for the American people what it is they are asking for, and that is results, there is no doubt.

We have heard our colleagues today touch on several issues of importance to the American people that we have listed on our checklist. I know my checklist is full of a lot of different things, as Senator KLOBUCHAR mentioned, with the end of school coming around, but I want to take a few minutes to discuss one of the most important priorities, and one of the most important things that appears on my personal checklist most frequently, and that is health care needs. Whether it is the health care forms for my boys to go to summer camp, or making sure they get their dental checkup, or ensuring they have gotten their immunizations to be able to start school, all those things are critically important to me, and there are many health care needs our working families out there are facing as well.

It is not a secret that a health care crisis is looming on the horizon. Health care access and affordability is out of reach for way too many of our hard-working American families. When we go out to our States, at least for me, anyway, and I talk with people, one of the issues that is paramount on their minds is health care, but it is synonymous, when they speak about it, with the economy and whether they can afford it with the economy of their family budget, and what it does to the economy of their small community if health care is not available, and what it does to the economy of this country if we wait so long to provide the access to affordable health care so that people are in acute care because it is more costly. It is costing our economy more and it is lessening the quality of life of Americans who so desperately want to find that access to affordable and good health care.

As many of my colleagues are very well aware, the number of uninsured in this country stands at about 47 million. You know, we see Americans are living longer. My husband's grandmother turns 111 this year, and she still lives on her own and does amazing things. My husband and I find that we are not just the sandwich generation, but we are the club sandwich generation.

As Americans live longer, we also know, because statistics tell us, that a baby girl born in this country today has a 50-percent chance of becoming a centenarian. Moreover, as the baby boom generation begins to retire, the current Medicare system is not equipped to effectively handle the strains of such a major demographic shift. It is an issue that constantly weighs on my mind, whether it is as a caregiver for my children or for aging parents or aging grandparents, and we know it is on the minds of all working Americans out there, not just mine and not just my colleagues.

I am sure it is on the minds of many of my colleagues, because we talk

about it all the time. We talk about caring for our aging parents and the needs of our kids, and it is not going away any time soon. And it is certainly not going away if we don't begin to make it a priority and do something about access to health care.

As mothers and daughters, wives, sisters, and legislators, the Democratic women of the Senate are committed to providing access to quality, affordable health care for all Americans. One way to address this issue is to put the focus first on small business owners, their employees, and self-employed individuals, who very often are those who are uninsured.

To give a snapshot, my small businesses are the No. 1 source of jobs in my home State of Arkansas. However, only 26 percent of businesses with fewer than 50 employees actually offer health insurance. Small businesses need assistance. They need innovative ways to offer affordable, accessible health care to their employees.

There is a misnomer out there that small businesses don't want to offer health insurance. They do, desperately. They know it increases their productivity, it increases their competitiveness, and their ability to attract good workers. But it has to be affordable. Small businesses have to maintain their competitive nature with big businesses and businesses all over the globe. That is why I have worked hard to design a comprehensive solution that will allow our small businesses to ban together and spread their risk, much like the programs that we as Federal employees enjoy.

We also have to focus on critical reforms of Medicare if we have any hopes of ensuring our seniors, those who have built this great land we enjoy, continue to receive the essential care they need as they age. Efficiencies, quality measures, all of these issues we have talked about recently in some of our Medicare efforts and what we are trying to do in our Medicare reform bill, will lower our costs and provide greater quality, which is what we want to do. Modernizing Medicare to take advantage of those efficiencies, those new technologies—health IT, e-prescription, and a whole host of different technologies—will help us, if we make that investment, by providing the quality as well as the efficiencies we need.

And we can't forget about the State Children's Health Insurance Program, known as SCHIP. We must make it a priority to expand health care coverage to the most vulnerable of our society—our children. I hope if my colleagues don't want to do it just because they love children, which most of us do—we understand they are our greatest blessing in this whole wide world—we should do it because it is an investment in our future.

We know children who are healthier are going to go to school, they are going to learn better, they are going to turn out to be better adults, they are going to get their education, get better

jobs, and pay more taxes. There will be a whole host of different things that will mean so much to this country if we provide that health care for our children.

The clock is ticking, and it is up to us in Washington to find a solution so the hard-working families of this country can be assured of a healthy tomorrow. Each year that passes without action places more and more Americans in a vulnerable position. I challenge our President and our colleagues in the Senate and on the other side of the aisle to stand with us, not against us, in providing quality and affordable health care for all Americans. Look at how much it means to this country, to those individuals, those working families who are the fabric of this country.

As the richest, most powerful country in the world, we owe it to our working families who want to protect themselves and their families from an uncertain future to provide the health care coverage they so desperately need. We owe it to the taxpayers of this country today and for generations to come to provide a quality health care system that is cost effective and sustainable. That is why I believe that providing access to good health care to America's working families is worth fighting for, and that is why it is primary on our checklist for change.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I ask unanimous consent that the hour of morning business under the Republican control be divided equally among the following Senators: Senators ALEXANDER, KYL, HATCH, CORNYN, BOND, and MURKOWSKI.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Madam President, I ask that I be informed when I have consumed 9 minutes and have 1 minute remaining.

The PRESIDING OFFICER. The Chair will inform the Senator.

CHECKLIST FOR CHANGE

Mr. ALEXANDER. Madam President, Republican Senators—men and women—welcome this opportunity to talk about the checklist for change offered by Democratic Senators. As Senator MCCAIN has said: We all want change. But there is a right change and a wrong change. So I wish, in my few minutes, to take a few of the items on the Democratic checklist for change and talk about what I consider to be the right change and the wrong change.

Let's start with taking care of our military families and veterans. That probably should go at the top of our list because of our respect not only for the men and women who are fighting overseas but for those who are at home, both families without children or families with children. Those who are here also served.

We all have been seeking to update the GI bill for veterans so we can pro-

vide educational benefits to veterans today and to men and women who are on active duty that fit today's circumstances. Here is the major difference between Republicans and Democrats, an example of what I would consider to be the right change and the wrong change. Most Republicans favor an updating of the GI bill for veterans, as recommended by Senators MCCAIN, GRAHAM, and BURR, that would allow more servicemembers to transfer educational benefits to dependents. It would allow servicemembers to transfer educational benefits to their spouses or to their children. After serving at least 6 years, a member could transfer up to half of his or her education benefits to a spouse or children, or both. After serving for 12 years or more, a servicemember could transfer all of his or her education benefits to a spouse, children, or both.

In bottom-line terms, the Republican bill would do what the Democratic checklist says—take care of our military families and veterans—but most Republicans support the idea of giving this transferability of benefits, which could provide up to \$72,000 for a dependent or a spouse's education. The bill sponsored by most Democrats did not include that transferability of benefits. We believe we have the right change and that they have the wrong change.

Let me take another item on the checklist—enforced fiscal accountability, or protect the family checkbook, both of those. Here is an example of what we believe would be the right change in fiscal accountability and helping balance the family budget.

The Democrats had an opportunity, because they have the majority in this Chamber—remember, when we are talking about change, change in this Chamber would mean we would go from a Democratic majority to a Republican majority. The Democrats are in charge here. They set the agenda. What we talk about is what they bring up, the same as in the House of Representatives.

The Democratic budget provided a tax plan which will cause most Americans to be paying a lot more. Over the next 5 years, their tax plan provided for 84 million women to see a \$1,970 increase, because they would allow the 2001 and 2003 tax cuts to expire. Also, 48 million married couples would see a \$2,700 increase, and 12 million single women with children would see a \$1,000 increase. And more than 6 million low-income individuals and couples will no longer be exempt from the individual income tax.

Again, the right change for women and men in America would be the Republican version of lower taxes. The Democratic version is higher taxes.

Let me go to a third item—making America energy independent. How will we do that? The new economics professors on the other side of the aisle have come up with a brand new economics theory which would repeal supply from the law of supply and demand. They

are led by Senator OBAMA, who is the leading economics professor on that side with this new theory. In the New York Times this morning he said he opposes drilling in Alaska for oil and gas. He is not, in his words, a proponent of nuclear power, which provides 70 percent of our carbon-free electricity. He would consider banning new coal plants—and coal provides 45 percent of our electricity—and in 2006 he voted against expanding oil and gas exploration in the Gulf of Mexico. That leaves him, it seems to me, with very little to supply electricity and oil for a country that uses 25 percent of all the energy in the world. Instead of a national energy policy, that side has a national windmill policy.

They still have demand, but we agree with demand; that is, using less oil. Many of us on the Republican side voted for fuel efficiency standards. We believe in green buildings. We are ready to move toward electric plug-in cars and trucks to reduce our demand. But we are going to have to plug them into something. So we need five or six new nuclear plants a year, we need to explore offshore, we need to take the moratorium off oil shale, and we need to go into the very narrow part of Alaska where we would propose to explore there, still leaving nearly 17 million acres for wilderness.

We believe in the law of supply and demand. They do not believe in supply. We have the right change, we believe. They have the wrong change when it comes to energy independence.

In health care, the right change we believe would be a policy that would merge the idea of giving every American an opportunity to afford health insurance by reforming the Tax Code but using at the same time two words, "private sector," to make sure you can buy your own policy and choose your own doctor. They want the wrong change which would create a Government system where you could not do that.

Finally, I notice that education is not even on the Democratic checklist. I am not so surprised. I wouldn't put it on either if I had their set of priorities because they are opposed to the one thing that most women in America want more of, which is flexibility of time. They are opposed to giving parents more choices of schools. We have choices of colleges and universities and community colleges, but working moms cannot have a choice of the school or of an afterschool program. Some bureaucrat decides that. That is the wrong change. We would give them the right change. The Democrats oppose a Pell grant for kids, which I proposed, which would give \$500 to every low-income child for afterschool music lessons, programs, other afterschool education activities. We support charter schools. Some of the other side do, but mostly they are opposed to that.

We would favor paying teachers more for teaching well. I did that in Tennessee when I was Governor. That

mainly benefited women because there were more female teachers than men. We wanted them to have a better professional career and time in the classroom, but it was the Democrats who said no to that. And it is better for the students, to pay outstanding teachers more for teaching well because then the classrooms keep better teachers which is good for students.

Finally, in No Child Left Behind there is something called the Teacher Incentive Fund. I thank Senator DURBIN for joining me in trying to support that, but many of the Democrats on the other side have said no because that money is being used to find ways to pay principals more for being better principals, and to pay teachers more for being better teachers. They want a flat pay for all of them because that is what the unions want. So we want the right kind of change on education, but it is not even on the Democratic checklist.

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. ALEXANDER. Madam President, I believe it is a good thing for us to talk about change. There is a right change and a wrong change. We believe in the law of supply and demand. They believe only in demand. We believe in lower taxes; they in higher taxes. We believe in change that allows you to buy your own policy and choose your own doctor. They would have a Government program. We believe in giving moms and dads more flexibility in choosing schools. They believe in letting the bureaucracy do it.

I welcome this debate. We look forward to change. We just want to make sure it is the right change instead of the wrong change.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. KYL. Madam President, as we began this day, the Senate had pending before it a very important piece of legislation addressing the necessity of extending some provisions in our current Tax Code that enable our businesses to compete with others abroad. There were tax provisions, for example, that provide tax credits for businesses that invest in research and development. I think everyone in this Chamber supports extending those important provisions of the Tax Code, yet we cannot consider the legislation and get it done.

In addition, we have soon-to-be-pending important legislation on housing to deal with the crisis that has gripped this country in the last year or so. But instead of taking those matters up and debating them and getting the people's business done, we have taken some time out, pursuant to the Democratic leader's change in schedule here, to talk about change the Democrats would bring.

It is important to note that Republicans are not in charge of the Congress. Democrats have a majority in both the House and Senate and have

had for the last year and a half. I submit if Republicans were in charge today, we would be using this time on the Senate floor to be working on the people's business—at least the two items I mentioned before—rather than taking time out to have a debate about partisan political matters.

But as long as we are talking about change that the Democrats would bring, I suggest we have no better place to turn to, to see exactly what that would be, than what the Democrats did do when they were in charge this year. It is the one piece of legislation they have succeeded in passing. It is a budget.

What does the Democratic budget show us about what they would do if they were in charge for another 2 years? The first thing that is notable about this budget is it calls for the largest tax increase in the history of the world; in the entire history of this country. American families and the economy cannot afford this kind of change. The last thing you want to do in time of economic downturn is to raise taxes. Yet that is exactly what the Democratic budget would do.

Every single taxpayer would face a tax increase in a little more than 2 years, unless Congress acted to affirmatively stop it. It would hit 116 million American households. This is not just a tax on the rich; every single American household. The child tax credit would be cut from \$1,000 to \$500 per child. The marriage penalty would be reimposed, so that many married couples would again pay higher taxes than they would have they had remained single.

When Republicans were in charge, we created a 10-percent lower tax bracket to help those with lower incomes, reducing it from 15 percent down to 10 percent. That would be repealed. The bottom rate would once again go up to 15 percent, a 50-percent increase for our lowest income taxpayers. Every tax bracket above the 15-percent bracket would also be raised.

A family of four with \$50,000 in income would pay \$2,300 more in taxes, according to the Senate Budget Committee. That is a lot of money if you are trying to save for your family or if you are worried about gas prices.

The investment taxes we have in this country—it used to be, years ago, that was mostly for people who made more money. Now we know that American families saving for the future—seniors living on retirement incomes, people who have pension plans, the teachers' pension, whoever it might be—all would see dramatic tax hikes under the Democratic budget because these proposals hit investors, and over half of Americans are now investors. The capital gains rate would increase by a third, a 33-percent increase in the rate, and the dividends rate would jump an unbelievable 164 percent under the majority's plan.

Let's talk about seniors who report dividend income. That is where a lot of their income comes from. Nationwide,

according to the Joint Committee on Taxation, 67.6 percent of seniors reporting dividend income had adjusted gross incomes of less than \$50,000. These are not rich people—people who make less than \$50,000. That is who gets hit. How about capital gains? Same source—40.5 percent of all seniors reporting capital gains had adjusted gross incomes of \$50,000 or less. We are not hitting the rich. We are hitting folks with incomes of less than \$50,000 a year.

How about the engine of the economy, the small businesses, the entities that create almost all of the new jobs in our country, half of which are women owned? More than 75 percent of all filers in the top tax bracket report small business income. So you increase that tax bracket and you are increasing the taxes on small businesses. You are not increasing the taxes on corporations. Small businesses would have a higher tax rate than corporations. It would go from 35 percent to 39.6 percent. Is that change we want in America? I think not.

Raising taxes on small businesses will hurt their ability to grow and create good-paying jobs. They create 70 percent of all new jobs in America and it would make it impossible for them to provide health insurance and other benefits to their employees.

Let's look to Senator OBAMA's tax plan. A look at his Web site reveals some interesting things. First, he has no plans to prevent these tax increases I talked about from going into effect. His proposal is to give a \$500 tax credit per worker. So rather than preventing these increases in taxes I talked about, he would promise a \$500 tax credit—up to \$1,000 per family—only if you had an income of less than \$75,000.

We believe the first order of business ought to be to prevent this massive tax increase called for in the Democratic budget. Senator OBAMA would allow this \$2,000 per family tax hike to go into place and in exchange would give each worker \$500. Obviously, the Government picks up the other \$1,500 and the reason is because of the spending that Senator OBAMA and the Democratic majority would engage in. The budget I talked about before, interestingly enough, has almost to the dollar an increase in spending equaling the increase in taxes, so you know precisely what the plans are here if Democrats have another 2 years in power. I think most Americans would prefer the \$2,000 in tax savings under the Republican proposal to the \$500 tax credit under Senator OBAMA's proposal. Again, change that I do not think the American public would benefit from.

How about the capital gains tax increase that Senator OBAMA proposes? I talked about capital gains before. It affects seniors. It affects people with incomes of less than \$50,000 a year. He says he might allow that rate to go back up to 28 percent and—increasingly he said this—even if it were proven that it would not collect \$1 more in

revenue for the Federal Government. He said, instead, he would do it—this was during the April ABC debate—for fairness. But I am asking here, is it fair to punish investment? Our tax system treats capital gains at a lower rate because they have already been taxed once before. They have been taxed when the business earned the money and they are taxed again when the investor in that business has an asset and has to pay the taxes on it. This lower rate mitigates that taxation. That is fair. What is not fair would be to take that rate up to 28 percent. That is not change that would help the American people.

I think most Americans understand that to help business we need to help those who invest in business. That is what helps the economy grow. That is what creates jobs. It is what increases our standard of living.

Then there is one other proposal that Senator OBAMA proposes, perhaps as a result of the negative reaction to the increase in capital gains even if it produces less revenue. He says he “would propose to eliminate all capital gains taxes on startup businesses to encourage innovation and job creation,” according to his Web site. That I can agree with. But if the policy is good for startup businesses to encourage innovation and job creation, why wouldn't it be good for all of the other small businesses too? My wife had a small business. She is not just starting one up; she used to have one. She wouldn't be able to take advantage of that, but somebody just starting one would? What is the fairness in that? If it is good enough for those who are starting up, it ought to be good enough for those who can create more jobs and improve our economy.

Finally, he has a proposal on the payroll tax to increase taxes, which money would presumably go into the Social Security trust fund to be spent by the Congress, since there is no way to protect the money in a lockbox. We tried that before. So since Social Security taxes are not needed today, not all of them, to pay for Social Security benefits, the difference between what we collect and what we have to pay out to seniors is simply spent by Congress. This would be another tax increase, not for seniors in retirement, but for Congress to spend. It would increase on all incomes above \$250,000. It is capped right now at \$102,000 in income. The reason is because Social Security taxes are capped relative to the level of benefits. Benefits are also capped. If you ever break that tie, then you are going to have a welfare program rather than the Social Security program. That would not be change that is good for America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. Madam President, I too want to talk about change, as have our colleagues on the other side of the aisle, in presenting their checklist for

change. I do not think there is anybody—certainly not myself included—who believes that what is happening here in Washington, DC, inside these hallowed chambers is something we want to continue in terms of the status quo. We do need change. But as others have said before me, we need the right kind of change. That is what I wish to address here briefly.

First, let me remind my colleagues and those who may be watching about where we are in terms of being stuck on important issues that are important to the people of this country; where Congress, under the current leadership, has simply squandered the opportunities we have, on a bipartisan basis, to work together to try to address these pressing issues.

First, it has now been 124 days since the terrorist surveillance system, known as the Foreign Intelligence Surveillance Act, has basically been unable to track and listen in on foreign terrorists because Congress has failed to pass reauthorization of the Foreign Intelligence Surveillance Act.

It has been 575 days since our manufacturers and small businesses and our farmers have been disadvantaged by the failure to take up and pass a free trade agreement with Colombia.

My State of Texas sells about \$2.3 billion worth of goods and produce to Colombia each year, but because Congress refuses to act on this free-trade agreement, my farmers and manufacturers and small businesses have to pay a tariff. That is an added penalty, basically, on their products in Colombia that is not imposed on Colombian goods when they are sold here in the United States.

This free-trade agreement is good for my State and for the United States because it creates markets for our goods and our produce, which creates jobs here at home. But for 575 days now, we have seen no action on that important agreement.

There have been 720 days that some judicial nominations have been waiting for a vote. I want to come back to that—720 days since some of these nominations have been pending. As astonishing as it may sound, now when gasoline prices are well over \$4 a gallon, when the price of oil is up around \$135 a barrel, it has been 786 days since Speaker PELOSI—when she was running for the House of Representatives and running basically for Speaker, she promised a commonsense plan to bring down the price of gasoline at the pump. We are still waiting for that plan. We have not seen it yet. I believe this is the kind of change people across this country would love to see. They would love to see us come together to try to solve these problems. But instead of that, they see us stuck in a rut, engaging in political posturing rather than solving the problems that confront our Nation.

I wish to talk briefly about the third item on my list, and that is about judges.

For some reason, the Democratic majority has refused to follow through on

a promise made to our side to set hearings and confirm judges to the Federal bench. The fact is, there does appear to be a distinct difference in the philosophy of the people nominated to serve on the Federal bench between the two political parties. I believe our side believes judges should not be roving activists imposing or substituting their views for what is good for us but, rather, judges should have the very important role, the unique role of interpreting what the law is and enforcing and applying the law as written.

Judges, of course, are not elected, by and large, certainly not to the Federal bench. They are not representatives of the people, they are representatives of the law, and they serve a very important function. But when judges decide to take the law onto themselves and impose their own will rather than to enforce the will of the elected representatives of the people, they become lawless as a result.

Of course, we have seen recent examples of this, whether it be in California, where the California Supreme Court after some 200 years has decided now that the Constitution enshrines a right to same sex marriage, against the overwhelming views of the people of that State—I guess they will have another chance to vote on that in a proposition that will come before the people of that State.

We have seen it most recently by the U.S. Supreme Court in a decision where they afforded foreign terrorists precisely the same rights as an American citizen would have even though we are at war with a determined enemy that celebrates the murder of innocent civilians, as they did on September 11, to pursue their own goals. And to have judges, including the five Justices on the U.S. Supreme Court, say that for the first time in the history of our Republic, foreign terrorists have the same constitutional rights to the writ of habeas corpus in civilian courts is not only a dramatic change in the law—and it does represent change, but it is not the right kind of change.

We need to make sure social policies are made by the elected representatives of the people where we can debate these policies right here in front of the people on TV and in front of those folks who come to the gallery, but then once we make those decisions, once we have those votes, that they are honored and respected by the unelected judges.

The fact is, Senator OBAMA, the Senator from Illinois who is running for President of the United States, says he want judges who would put their heart and convictions above the letter of the law. That sounds pretty good at first blush, but the fact is, if each judge is going to decide what their heart tells them or what their personal convictions tell them as opposed to what the law is, including what the Constitution of the United States says, that is not law at all. That is sort of an impressionistic way of deciding how to impose

your views, because you happen to be a Federal judge, on the people of this great country.

We know there has been an effort to drag feet in terms of confirming judicial nominees, presuming, I guess, that the election will provide another opportunity for our Democratic colleagues to then see a Democratic President nominate judges to the Federal bench, at which time they would expect us to forget the foot-dragging and obstruction we have experienced when we have had a Republican in the White House, and somehow they believe that would not be reciprocated. I hope we will rise above the temptation to reciprocate the kind of treatment this President has received if a Democratic candidate was elected President of the United States. But it is the same sort of tit-for-tat retaliatory mindset that has gotten us into this quagmire we need to get out of, and my hope would be that our friends on the other side of the aisle would rethink this issue and sort of get out of this rut.

My constituents back in the State of Texas tell me they are pretty disgusted with what they see happening in the Congress. Thirteen percent, according to the latest Rasmussen poll I saw, said they gave Congress an “excellent” or “good” rating. The vast majority of the American people look to Washington and they do not see a Congress that is being responsive to their needs and their wishes. They don’t see us trying to solve problems. They don’t see us having hearings on judicial nominees, asking those nominees questions about the qualifications and experience and then having a vote on the Senate floor. That is the kind of change we need as we address these issues that are important to the American people. I would hope that if our colleagues on the other side of the aisle are really desirous of change, they would work with us to help change this broken, dysfunctional Senate.

When the majority leader calls up a bill and he denies an opportunity for the minority to offer amendments or to have full and fair debate, as he did last week on the climate change bill, what he called one of the most important issues facing the planet today, it does not speak of a seriousness of attitude in terms of trying to solve problems but, rather, speaks more to an attitude of gamesmanship and political point scoring that, frankly, is beneath the honor and dignity of this institution and of our responsibilities to our constituents.

The PRESIDING OFFICER. The Senator from Utah is recognized.

EUROPEANIZING U.S. LABOR AND EMPLOYMENT LAW

Mr. HATCH. Madam President, on the campaign trail this election year one hears a lot about change and helping the middle class. But what do the professed “change agents” have in mind by change, and what would such

changes mean for our economy and creating middle class jobs?

Pending legislation in Congress sponsored by the change agents would more closely conform America’s labor and employment laws to the failed European model which has saddled the French and Germans with 30 years of higher unemployment, stagnant job growth, and lower productivity. French President Nicolas Sarkozy has said workplace regulations in France are “unjust, discourage work and job creation,” and “fail to bring equal opportunity” to the middle class. German Chancellor Angela Merkel has called for reform of Germany’s labor regulations for the same reasons.

At a time when leaders in France and Germany are trying to reform their workplace laws and move closer to the U.S. system, do we really want to infect our country with European-style workplace regulations that could cost middle class jobs and curtail economic growth? Do we really want to become another France?

For more than 70 years, union representation elections in the workplace have been supervised by career employees at the National Labor Relations Board to ensure the elections are conducted fairly and privately. The deceptively misnamed Employee Free Choice Act pending in Congress would deny employers the ability to petition for private ballot elections among their employees to determine whether or not the employees, voting by secret ballot just as in political elections, desire to be represented by a labor union.

The bill would scrap our current system of private voting in secret ballot elections and replace it with a forced card check certification in which employees can be pressured by union organizers into signing union petitions, or union authorization cards at work, at home, in a bar or on the streets. Union leaders boast that this change would lead to millions of new union members, but at what cost to workplace democracy?

Even worse, the bill would turn over a business’s financial competitiveness to federal Government-appointed arbitrators to set wages, pension and health care benefits, work hours and other terms and conditions of employment. If, after only 90 days of bargaining, the parties themselves have not agreed on the terms of an initial union contract, the bill would mandate interest arbitration through which a federally-appointed outside arbitrator would be vested with virtually unchecked authority to impose a contract binding for 2 years on the parties, without even a ratification vote among the employees to approve its terms. Such determinations imposed on the parties will be affected by the arbitrator’s own economic or social theories, often without the benefit or understanding of practical, competitive economic forces.

Is that the change we need to help the middle class?

Consider further the misnamed RE-SPECT Act, sponsored by the same

professed change agents, which would impede private sector employers' ability to manage their operations through first-line supervisors. The bill would reclassify supervisors who assign or direct the work of others, and expose them to the same union contracts and work rules, union discipline, strikes and other work stoppages, as the employees they supervise, thereby creating the types of conflicts of interest that the 1947 Taft-Hartley Act wisely sought to avoid. The legislation should be renamed NO RESPECT, since it would deny supervisors the status and supervisory authority they worked hard to attain, as well as eliminating employers' right to expect the undivided loyalty of these supervisors as their agents in labor-management relations.

Other bills pending in Congress, all cosponsored by change agents on the campaign trail, would radicalize U.S. employment law, resulting in the type of European paralysis that has impeded middle class job creation and economic growth in France and other countries. These bills would, however, expand one industry where unfortunately the U.S. greatly outpaces Europe: the plaintiff trial bar, which has an unsurpassed world record of bringing lawsuits, many frivolous, against employers.

One bill would remove any time limits on the filing of pay discrimination claims against an employer, thus creating open-ended liability years. Another would provide unlimited employer liability for punitive damages by removing the caps on damage awards which were wisely set by the 1991 Civil Rights Act at \$300,000 in exchange for amendments allowing jury trials for employment discrimination claims. Open-ended liability and unlimited damages: a plaintiff trial lawyer's dream.

A third bill would undermine congressional intent with regard to the Americans with Disabilities Act by classifying virtually any physical impairment as a disability for purposes of bringing claims and lawsuits against employers. I helped lead the fight for the Americans with Disabilities Act. The courageous pioneering members of the disability community responsible for passage of the legislation were not interested in protecting temporary illnesses such as the flu, or minor impairments which could be corrected by prescription eyeglasses or medication. Now, however, by preventing consideration of mitigating factors as an affirmative legal defense, and no longer requiring that the disability affect a major life activity such as working, the new legislation would treat such minor impairments as disabilities. The effect is to trivialize the law and promote frivolous lawsuits against employers. The problem with the bill's sophistry is that if everyone is considered legally disabled, even those with easily correctable impairments, then no one is truly protected.

Another pending bill is an unprecedented Federal mandate regulating an

employer's decision-making. It is the closest thing to the type of workplace regulatory paralysis that has stymied the Europeans. In fact, it reportedly was modeled directly from European laws.

Any time an individual employee requests a change in work schedules, including when, how long, and where the employee is scheduled to work, the so-called Working Families Flexibility Act would require employers to meet with the employee within 14 days, and thereafter, within 14 days, to provide a detailed written decision with company information. The employer's written decision would have to include, among other things the identifiable cost of the change in a term or condition of employment requested in the application, including the costs of loss of productivity, of retraining or hiring employees, or of transferring employees from one facility to another facility, and the overall financial resources involved.

If the employee is dissatisfied with the employer's decision, the employee may request reconsideration and the employer must schedule another meeting, again within 14 days, with the employee accompanied by any designated representative. If the representative is unavailable, the meeting must be postponed. Thereafter, the employer must respond to the request for reconsideration in writing, stating sufficient grounds to justify the decision.

But that's not all. The employee may trigger a Federal investigation, which must be undertaken by the U.S. Department of Labor and a subsequent Federal administrative hearing to review the employer's decision. This could lead to Federal enforcement actions, monetary fines against the employer, Federal court injunctions and other legal orders for employment, reinstatement, promotion, back pay, and other changes in terms and conditions of employment.

How many times in a workweek does an employee ask a supervisor for a change in working hours or work schedule? For example, "Hey, boss, I want to only work a 35 hour week" or "I want Fridays off in hunting season" or "I would prefer to work closer to home." If this European style, so-called right to request law were to be adopted in the United States, it would bog down the workplace with mandatory negotiation of potentially any decision affecting working hours, work schedules, or location of work with every individual employee—a union of one—and with the threat of federal investigations and legal actions.

Is that the type of change we want?

Labor leaders and their allies frequently point to Europe when they lobby for changes in U.S. labor and employment laws. But even a cursory look at comparative economic indicators shows that the adoption of a French or German-style labor regime actually reduces workers' job options and diminishes wages while bogging down economies and discouraging enterprise.

Flexibility is a key factor in the economic dynamism of the U.S. labor market. The ease with which employers can build and rebuild their workforces provides great flexibility in innovation and response to market changes. The United States is the easiest country in the entire world in which to employ labor, according to The World Bank, and the third best country in which to do business overall.

Meanwhile, U.S. labor productivity far outpaces that of France and Germany, and also Canada, Japan and the United Kingdom. The United States has not only been the most productive country in the world but has also grown in productivity at a greater rate than other developed nations. In 2006, U.S. productivity per employed person was nearly \$65,000 compared to \$49,000 for France and \$43,000 in Germany.

The U.S. has been an engine of job creation for the past 35 years despite temporary recessions, gas shortages and even terrorist attacks. Compared to workers in most of Europe, U.S. workers have more job and career options, greater upward mobility, and employment growth.

Consider unemployment rates. France's jobless rate is Europe's highest. This chart shows unemployment rates for the past 15 years or so. Notice that the United States' highest unemployment rate—6.1 percent in 1994—doesn't come close to the lowest unemployment rates for France, which was 8.4 percent in 2001. For the past 15 years, the U.S. average unemployment rate was 5.1 percent, while France's was double that at 10 percent.

Looking at the past few years in France, nearly 70 percent of those unemployed have been looking for work for more than six months and nearly 45 percent of them were still looking for work after a year. In Germany, about 55 percent of the unemployed is out of work for at least that long.

In the United States, workers stand a better chance of getting another job and sooner. Less than 20 percent of those unemployed have been looking for a job for 6 months or longer, and only about 10 percent were looking for more than a year.

For centuries, people from all over the world have been drawn to the United States for economic opportunity. While the unions and some in Congress believe that European-style labor law is what is best for workers, leaders in France and Germany know better. They understand that regulatory economic rigidities that hold out the false hope of job security often limits workers' options for finding better opportunities, makes it harder for the unemployed to find work, and discourages entrepreneurs from creating new middle class jobs. Congress cannot mandate that employers create jobs, stay in business, or even that they do not conduct business elsewhere. But in the name of change, ostensibly to help the middle class, Congress can mandate

the types of harmful employment regulations that will reduce or even eliminate middle class jobs in the United States.

“Europeanization” of U.S. labor and employment laws is not the type of change the middle class really needs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

CHANGE IN IRAQ

Mr. BOND. Madam President, there is no doubt that right now American families are being squeezed on all sides. Gas prices are sky high and climbing. The cost of food is going up. So is the cost of college tuition and health care. So it is no surprise that “change” is the word everyone is talking about.

My colleagues on this side of the aisle and I want change, too, but we want commonsense solutions. We are the party of economic security. We think we should keep more of the money we earn. We favor more private sector solutions to health care. We want America’s energy future to be here in America, not the Middle East. We want to change the disastrous policy that has been implemented and kept by our fellow colleagues on the other side of the aisle for the last 30 years, a nonenergy policy, no production. As a Washington Post editorial pointed out today, Congress cannot repeal the laws of supply and demand. Demand worldwide has gone up but supply has not.

We have the answer to that problem right here in America. We want to change it and use the resources we have. We also want a strong commitment in the war on terror. Changing back to the policies of the 1990s is not the way to win the war on terror. Senator OBAMA has said we should go back to the 9/11 days, when terrorism was treated as just another law enforcement matter. He pointed to the prosecution of the World Trade Center bombers as the example to follow. That is precisely the type of policy that led to attacks on American embassies and the USS *Cole*. That is the kind of change that will make the Nation less safe again.

If the Democrats wish to talk about change, let’s talk about change, change that matters and change that they have been unwilling to acknowledge, a change when we started executing the war on terror by going after the terrorists in the safe havens. We have kept our country safe from attack since 9/11. Under the leadership of GEN David Petraeus, Iraq has changed and changed dramatically. So why can’t my colleagues on the other side of the aisle change with it. Why can’t they change their stance and get behind our service men and women who want to succeed and have had tremendous successes?

President Bush announced the surge and the new counterinsurgency in 2007. Iraq was a violent place at the time.

Al-Qaida in Iraq held large swaths of territory. Shiite death squads roamed much of Baghdad, and the Iraqi political leadership appeared helpless. So President Bush, understanding the consequences of failure and withdrawal, changed. He changed military leadership. General Petraeus changed to a new strategy, a strategy for victory, of counterinsurgency or COIN that involves getting out among the Iraqi people, working directly with Iraqis committed to a peaceful, stable Iraq. That is a change my son saw in Al Anbar, when his Marine scout sniper platoon helped clear Al Anbar and turn it over to Sunni citizens and police. We still face big challenges in Iraq but with a far more optimistic picture emerging. Al-Qaida has been almost, if not completely, routed in Al Anbar, once declared the center and base of operations for al-Qaida in Iraq.

On May 12 of this year, a prolific terrorist sympathizer by the name of Dir’a Limen Wehded posted a study on the Internet in which he laments “the dire situation that the mujaheddin find themselves in in Iraq.” He is talking about his guys, the bad guys. He cites the steep drop in the number of insurgent operations conducted by various terrorist groups, most notably al-Qaida’s 94 percent decline in operational ability over the last 12 months. In Sadr City, Iraqi forces, the forces of the Iraqi Shiite leader al-Maliki, have rolled through huge Shiite enclaves relatively unopposed. Iraqi forces did the same in April in the southern city of Basra, where the Iraqi Government advanced its goal of establishing sovereignty and curtail the powers of the militias.

When General Petraeus returned to Washington in September of last year, even at that time he reported that the number of violent incidents, civilian deaths, ethnosectarian killings and car and suicide bombings had declined dramatically from the previous December. But despite all this positive change, many on the other side of the aisle are too vested in political defeat to see it. In fact, most Democrats opposed the surge, claiming it is more of the same and would neither make a dent in the violence nor change the dynamics in Iraq. The Democratic leader proclaimed “This war is lost” and that U.S. troops should pack up and come home, a disastrous change that even many thoughtful scholars and commentators who opposed going into Iraq initially say now is not the way to go. It would be a disaster. General Petraeus returned again to Washington in April this year, and violence has been reduced further. American casualties have declined significantly. Al-Qaida was virtually eliminated in the northern city of Mosul, as verified by the terrorists themselves. There are more Iraqi security forces. The Iraqi Government has passed a variety of laws promoting reconciliation. Prime Minister al-Maliki continues to demonstrate he can stand up to fellow Shi-

ites supporting violence and Iranian-backed special groups. There is every reason to embrace the positive change we have seen and not abandon it and not force a withdrawal. For that is not change but, rather, a policy that would put Iraq back on the path toward violence, terrorism, and chaos.

The change we have made has made our country safer, going after terrorists, helping Iraq stabilize their country, turning control over to them, and moving our forces back from the front lines of offense to a support role. That is the change we need to keep our country safe for the future from terrorist attacks.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

ENERGY

Ms. MURKOWSKI. Madam President, so much discussion has taken place of late about the high price of energy and what it is doing to family budgets. We don’t need to tell the American consumer what is going on with high prices. They are living it directly in each and every one of our States.

At today’s prices, Americans are paying \$1.6 billion daily to buy fuel. This is about twice what they paid 2 years ago. The national average price of gasoline passed the \$4.08-per-gallon mark, and fuel is consuming about 6 percent of the typical household budget. This eats up the money families need for food, clothing, medicine, education, 6 percent of the average U.S. household budget.

In my State of Alaska—you hear me say this all the time—our statistics are a little bit different. I need to let you know what kind of a hit Alaska’s families are taking when it comes to high energy prices.

Right now, in Anchorage, the State’s largest community, it is about 10 percent of the typical household budget that is directed toward energy costs. In the southeastern part of the State, where I was born and spent my early years, they are seeing about 14 percent of their family budget going toward energy costs. In the community of Fairbanks, up in the interior, where I spent my growing-up years in high school and years as a young adult, 22 percent of the household budget is going toward their energy costs. Nearly a quarter of the family budget is going into home heating fuel, into gas at the pump, into keeping their home warm during the long winter months—22 percent of the family budget.

As I have said before, people in Alaska are no longer angry about their energy prices. They are very afraid. You cannot continue on a trend such as this with this much of the family budget being dedicated to your energy prices and still survive.

There has been great debate on this floor about, How do we fix it? How do we reduce the price of energy for the American family? There are some who

imply the way to reduce energy prices is to perhaps punish the oil companies with tax hikes for the current high prices. The second option for some is to punish OPEC for their energy production levels by somehow dragging foreign nations into U.S. courts.

I would like to suggest that while maybe it might make some people feel good if they know we are imposing higher taxes on the energy industry, it is probably not a good idea for the 23 percent of individual Americans who own energy stocks or those who have pension funds, 27 percent of which are invested in energy stocks, or those who own mutual funds who have 29.5 percent of their funds invested in energy companies.

The problem we really have with additional taxation of the energy companies is, while it is going to funnel more revenue to the Federal Government—we have demonstrated this in the past—it is going to give us in Congress more money to spend on bureaucracy, but it is not necessarily going to do anything to increase our energy supplies, and it will not do anything to lower our energy prices. In fact, by taking money away from the energy companies, they are going to have less money to invest in searching for and producing more energy. Those are the things that will ultimately reduce energy prices into the future.

As far as this “NOPEC” concept of hauling OPEC nations into U.S. courts, no one has really explained just how this is all really going to work, how we would collect a judgment and still maintain access to world supplies of energy, and more importantly, how that would actually get money back into the pockets of American consumers or how that would keep American companies from being dragged constantly into foreign courts. Asking OPEC to produce more of their energy and then threatening to drag them into American courts if their production levels fall—which is what we have seen in this country—does not make sense to me. Instead, it seems to me the best way we can drive down fuel prices is for us to produce more in America, giving the jobs to Americans, and keep the royalties and tax revenues in U.S. hands.

I have said many times on this floor that it is not just all about increased production. We have to do more to encourage energy conservation, to encourage fuel efficiency. We have to do more to promote and develop the renewable energy technologies.

Just last week in the Energy Committee, we had a fascinating discussion about a process for using algae to produce hydrocarbons from which gasoline can then be made. It is a “green crude” type concept. It is wonderful to be exploring opportunities such as this. Hopefully, we are going to reach an agreement on a compromise to continue the tax aid to encourage wind, solar, biomass, geothermal, ocean energy, and nuclear development.

The fact is, we need to do more of everything to promote lower energy prices. We have to do more to promote efficiency, more to promote alternatives, and more to produce traditional fuels in America.

One of my colleagues, the fine Senator from Tennessee, has summed it up in four simple words: We have to find more, use less—pretty simple. What a philosophy. What an energy policy. But on the “finding more” aspect, we need to produce more from the Outer Continental Shelf. We need to produce more onshore from the Arctic Coastal Plain up in Alaska. We need to do more in the oil shales in the West. We need to produce more natural gas from the OCS but also from the formations in Texas and the Appalachians. We have to protect, but streamline permitting rules so new refineries can be built. We need to be working harder so we can tap America’s energy—really our ace in the hole—which is our vast coal reserves and our vast hydrate resources, and do this in a way that can be done without increasing carbon emissions into the atmosphere. We also need to make sure there is sufficient transmission capacity to move the power to where we need it once it has been produced.

Some act as if we in this country cannot produce more energy. They imply that either we do not have anything left to produce or we cannot do it without harming the environment. I think both of those views are just plain wrong.

Look at the mean estimates of the undiscovered resources. This is what the USGS and the MMS have on line. We have an even chance of being able to produce 85.8 billion barrels of oil and 419.8 trillion cubic feet of natural gas. That is 10 times our remaining proven reserves of oil and nearly 15 times our proven reserves of gas. This is a decade’s supply of oil for this Nation.

America still has a third of all the oil Saudi Arabia has, and it is just waiting to be discovered. That does not include the 1.8 trillion barrels of oil shale or the 1,000-year supply of methane hydrates we possess in this country. In Alaska alone, when we are talking about coal reserves—we say we are the Saudi Arabia of coal—we need to recognize the resource is there.

On the floor earlier, there have been claims that I would like to respond to that we do not need to lease more acreage onshore or offshore because oil companies have millions of acres under lease from which they are not producing energy. That claim in part is true, but the part that is left out is exactly why we need to make better lands available for oil development in the country.

Clearly, oil companies are not going to spend billions of dollars a year up front to lease lands, for the opportunity to explore and pay yearly fees to keep the leases in place, just to let them sit idle. In most cases, companies are not producing because they are still evaluating the potential of the

leases. In other cases, you have oil finds that are so small that they are just not yet commercial to develop without additional oil being found nearby.

Up in Alaska, in the National Petroleum Reserve, it may take as many as 14 years for the leases to be developed, while dealing with the environmental permitting and logistics issues you face in an area that is as geographically remote as NPRA is, in order to bring these leases into production. In addition, we have extremely short windows in terms of the exploration and construction season, which we have in place to avoid the impacts on wildlife.

But the primary reason is that the companies spend millions of dollars on seismic and exploratory wells but still find very little. Even with the technology, with the 3-D seismic, companies gamble when they bid for leases, and they oftentimes find nothing.

So if we made more prospective areas open to exploration, then more oil would likely be found. So this is not necessarily the result of some conspiracy, but the fact is that oil is hard to find.

To wrap up, can we be energy independent immediately? No, we cannot. But can we help ourselves produce enough oil to help meet global demand, lowering prices, and keep our families from going broke? Yes, I believe we can. We know how to protect the environment in the process of development. We can protect wilderness. We already have in the State of Alaska. We have set aside an area that is nearly as large as all of Oregon, and this is in wilderness forever, never to be touched. But let’s allow some of the land that is likely to contain oil and gas—not just places that don’t—let’s allow them to be open for exploration and production.

So let’s put aside some of these preconceived biases that I think both parties and both of our constituencies hold. Let’s shelve the campaign rhetoric and actually do something that is good for the short-term and long-term good of the Nation. I believe we can do it. I believe this is change in which we all can believe.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

ENERGY PRODUCTION

Mr. DORGAN. Madam President, I wish to talk some about energy. I know the President, this morning, my colleague, Senator McCain, and others have talked a lot today about additional production.

I am one of the four Senators who initiated in this body several years ago, along with Senator BINGAMAN, Senator DOMENICI, and Senator Talent, the legislation that is now law that opened lease 181 in the Gulf of Mexico, where there are substantial oil and gas reserves. We opened that up on a bipartisan basis. In addition to cosponsoring that legislation, I have also introduced

legislation that would open more of the eastern Gulf of Mexico. I think it is a smart thing to do.

Let me say that the refrain today coming from the President and some others is: Just drill, drill, drill—believing the only way to produce more energy is to sink a hole someplace. There are a lot of ways to produce energy in addition to drilling.

We do need more production. We need more conservation. We need efficiency. We need renewable forms of energy. We need all of those things. But the discussion today is: Well, if we could just drill in ANWR—one of the pristine areas of our country that was set aside in legislation signed by Dwight D. Eisenhower as President of the United States—that 10 years from now we may have some oil, I guess.

Let me make another suggestion. How about allowing U.S. companies access for drilling off the coast of Cuba? India is interested in doing that. Canada is there. Spain is there. But U.S. companies are banned from there. There's potentially more than 500,000 barrels of oil that could be produced in these Cuban waters, available for leasing by oil companies. Our oil companies cannot do it because this administration is obsessed with the embargo against Cuba.

So I say to the President: You want to drill, drill, drill, and drill? How about drill down in this blue area, as shown on this map? Spain is there. Canada is there. China is looking at it. India is there. But, no, you have decided we are embargoed from having our oil companies look where there is potentially more than half a million barrels of oil a day.

Or how about the eastern gulf? I have legislation in on this. But it is interesting—the minority side, when they introduced their proposal to produce more energy by drilling more, they left this out of their proposal. Why? Because a member of their caucus does not want this to happen. So, therefore, it is not a part of their proposal.

So in my judgment, enough about drilling and drilling and drilling. If our solution to the energy issue is to drill and to dig, that is just yesterday forever. That is not a policy.

Now, here is what has happened to oil prices. Oil prices have doubled in a year. Now, I do not have to tell anybody that. If you drive your car to the gas pump, you figure that out. If you are a farmer ordering a load of fuel, you understand that. If you are a trucker trying to figure out whether you are going to be able to run your trucking business next week because you cannot afford the fuel, you know this problem. If you are one of nine airlines that have gone bankrupt in recent times, you know this issue.

Here is what has happened to the price of oil. Here is what has happened to speculation in the oil markets. It looks a lot like the price of oil, doesn't it? Speculation. This has nothing to do with people who want to buy oil. They

want to buy paper back and forth and speculate. Look at what has happened to speculation. It looks like the same line with oil production. Will Rogers talked about speculators some nine decades ago. He talked about people who buy things they never get from people who never had it, trying to make money on both sides of the transaction. We have a futures market in energy because you must have a futures market. There are legitimate commercial reasons to hedge fuel prices, but when that market is broken and taken over by speculators, then it seems to me the Congress has a responsibility to deal with the broken market.

I am going to talk about what we should do about this speculation in a moment, but first I wish to talk about this response to drill as the only response to produce additional energy. It is interesting that in 1916 this country decided to encourage people to drill for oil and gas. If you could find oil and gas, we wanted to give you a big fat tax break in 1916. We made it permanent. I wasn't here at the time. We made it permanent and said, if you go looking for oil and gas and find it, God bless you. We are going to give you a large tax break.

Compare that with what America has done with renewable energy; wind, for example, and solar energy. We put in place a tax incentive for people to produce electricity from wind energy—a production tax credit, it is called. It was put in place in 1992, a short term, kind of a shallow tax incentive. It was extended five times, all short term. It was allowed to expire three times. So it has been stutter, step, start, stop. It is a pathetic, anemic, and thoughtless approach for a country to say to those who are producing renewable energy: We are behind you. We ought not do that. We did almost a century's worth of permanent tax incentives for people looking for oil and gas. To those who are trying to do wind and biomass and solar and all of the renewable forms of energy, we said: Well, we are not going to tell you whether we are going to keep providing these incentives.

I have a piece of legislation on energy production incentives that says let's decide to tell people that for the next decade, here is where America is going. Here is America's policy. We believe in wind energy. We believe in renewable energy. Count on it, because this is America's policy. That is what we ought to do.

We have people who stand up here in the Senate all day today—and the President at the White House—who say, the only production that matters is production by drilling a hole. Well, I am all for drilling holes where there is oil and raising some oil. But what about being less dependent on oil and especially less dependent on imported oil? Seventy percent of our oil now comes from off our shores. What about being less dependent on that? How about deciding there are other ways to produce?

Yesterday we had a cloture vote and that cloture vote would have extended—not by enough, in my judgment, but nonetheless would have extended—the tax incentives for renewable energy. Almost every Member of the minority voted against it. Why? Because it would have raised funds to pay for it by plugging a loophole that allows big hedge fund operators who get a billion dollars or a half a billion dollars a year in compensation to park that money overseas in a deferred account and avoid paying taxes to our country. So we were going to plug that loophole and the other side has an apoplectic seizure. It is unbelievable to me.

We are about production. We are trying to say here are the tax incentives necessary to produce more energy. Yes, it is renewable energy. It is an important part of our production need. And the other side says no, we don't support that because you are trying to make hedge fund managers pay their taxes as everybody else does. Well, not quite pay their taxes as everybody else. We were trying to plug the loophole that allows them to defer paying their taxes. But even if they had to pay them on time, many are paying a 15-percent tax rate on their earnings called carried interest. That is another story. They are paying less than the receptionist in their office, which is pretty unbelievable.

But my point is simple. We fought out here yesterday on the floor of the Senate to provide the tax incentives that will produce more energy, and all the way along, the minority is objecting. It is like a bicycle built for two. We are pedaling uphill and they are sitting on the backseat with their foot on the brake. Then they come out the next day complaining that somehow not enough is being produced and they get the President to say the same thing out of the White House. They try to get people to think that somehow by waving a wand and drilling a hole some place they are going to solve the problem of \$4 a gallon gasoline or \$140 for a barrel of oil. It is not going to happen.

Production is not just drilling. I support drilling. In fact, the U.S. Geological Survey just issued a recoverable oil assessment in my state—because I had requested that 2 years ago they do a survey. They completed their work and announced the largest survey or assessment of recoverable oil they have ever found in the lower 48 States: 3.6 billion barrels of recoverable sweet light crude. It is not as if we are not producing. We are. This is a new field called the Bakken shale field. But we are not doing enough with respect to renewables because of the attitude of the President and others in this Chamber who think the only way you produce energy is to try to sink a drill bit some place. There are a lot of ways to produce energy and we ought to be doing all of them. Instead we have dramatically shortchanged renewable energy.

I wish to turn for a moment to a solution of this issue of what is happening in the market that has caused the runup in price. There is nothing in the fundamentals of supply and demand of oil that justifies what has happened to double the price of oil—nothing. Oh, I suppose you could make the case that we have a perverted market someplace where people talk about free market. There is no free market. What an absurdity. In oil? Are you kidding me? First you have the OPEC countries sitting around a table in a closed room with their ministers making decisions about production and price. Then you have the oil companies with two names because they romanced and got married: Exxon romanced Mobil and now it is ExxonMobil; Phillips liked Conoco, so they got married and now they have two names. Bigger, stronger, more muscle in the marketplace. Then there is the futures market which has become an unbelievable amount of speculation. So there is no free market.

Let me quote some folks who have come to the Congress. This is Fidel Gheit, a 30-year veteran of the Oppenheimer Company. He is the top energy trader at Oppenheimer, a very respected organization. Here is what he says: There is no shortage of oil. I am absolutely convinced that oil prices shouldn't be a dime above \$55 a barrel. I call it the world's largest gambling hall. It is open 24/7. Unfortunately it's totally unregulated. This is like a highway with no cops and no speed limit, everybody's going 120 miles an hour.

If you don't believe Mr. Gheit, how about Mr. Clarence Cazalot, CEO of Marathon Oil: \$100 oil isn't justified by the physical demand on the market. Steven Simon, senior vice president of Exxon: The price of oil should be about \$50-\$55 per barrel.

So what has gone haywire here? What is the problem? Well, we have a regulatory agency called the Commodity Futures Trading Commission. They are supposed to be the regulators. We have a lot of people in regulatory bodies these days who think regulation is a four-letter word. They came to their jobs with an Administration that said, ease up. Soften up. We don't want you to regulate very much.

So we have the Commodity Futures Trading Commission. The Acting Chairman of Commodity Futures Trading Commission testified yesterday. He doesn't have the foggiest idea of what percentage of the contracts being traded in these energy markets are contracts he can't see or can see, but he has already made a conclusion that excessive speculation is not the problem. Surprise, surprise.

Well, here is what Mr. Lukken has said, the acting head of the Commodity Futures Trading Commission. This is the guy who is supposed to wear the striped shirts and call the fouls and be the referee: Based on our surveillance efforts to date, we believe energy futures markets have been reflecting the

underlying fundamentals of these markets.

July of last year. What is going on with the price of oil? "Oh, it is just the fundamentals." That is what the head of the regulatory body says.

In January, 6 months later, one word difference. He said: Based on our surveillance efforts to date, we believe that energy futures markets have been largely reflecting the underlying fundamentals.

Nothing there, I guess, not from the acting head of the regulatory agency.

In February: We are confident that the futures exchanges and clearinghouses are functioning well, especially during these turbulent times.

No problem there. Be happy. Everything is working fine. Oh, the price of oil is doubling. We have an unbelievable amount of speculation going on, but don't worry, sleep well.

On May 7 he says: We can say with a high degree of confidence that people are not manipulating the energy markets.

Then at the end of May, this man had an epiphany. I don't know whether it was during his sleep or perhaps a staff meeting. He decided there might be something wrong: I am not willing to say there is speculation, but there might be something haywire here and oh, by the way, we have been investigating it for 7 months.

I don't know. It is kind of hard if someone has been saying for 7 months nothing is wrong and then says oh, by the way, we have been investigating it for 7 months. A curious way, for someone who is paid to be a regulator, to describe to the American people their regulatory responsibilities.

I think the evidence is pretty substantial that there is something going wrong in this marketplace, and when markets don't work—and sometimes they don't—there is a responsibility to take some action.

I used to teach a bit of economics. I think the market system is the best allocator of goods and services I know of. There are times, however, the market system breaks. It doesn't work. That is what has happened here. There is a bubble that has occurred with a wave and a rash of speculation into these markets that has driven up the price well beyond that which can be justified by the quantity of oil or the demand for oil. The fact is this: In 4 of the first 5 months of the year, crude oil stocks in this country—the inventory of crude oil stocks increased. In 4 to 5 months, we actually had more inventory of crude oil stocks. At the same time, demand was beginning to dampen. There was less demand, more supply, so one would think prices would come down. It didn't happen. Prices continued to skyrocket. Something is broken in this marketplace.

I am going to introduce legislation, I hope early tomorrow—and I hope with bipartisan support. My legislation is called the "End Oil Speculation Act of 2008." It is a rather simple piece of leg-

islation that deals with a complicated area. It would be designed, as we have written it, to eliminate manipulation and excess speculation of the futures petroleum market. By the way, existing law already has a provision with respect to excess speculation. But one would not expect, in my judgment, the current Commodity Futures Trading Commission's chairman to take action to address that, at least based on what he has been saying, that there is nothing at all wrong.

This proposal would restore the petroleum futures market to its original purpose and intent as a place for hedge transactions by commercial producers and purchasers involving actual, physical petroleum products for future delivery and their direct counterparts. That is legitimate hedge trading. I support it. That is as distinguished from trading that goes well beyond that; that is, people who are not interested in taking physical possession, people who are not in the oil industry but they are interested in trading paper based on a speculative interest in making money.

I suggest we revoke or modify all prior actions that fail to eliminate or discourage all non-legitimate hedge trading by, for example, applying position limits to all non-legitimate hedge trading. This legislation will require the Commodity Futures Trading Commission to segregate the kind of trading that exists, the kind of trading for which the market was established—typical commercial hedging—and the trading that has nothing to do with that at all but is simply and purely speculative trading. To distinguish between legitimate hedge trading and all other trading is necessary for a piece of legislation such as this to work. It will require that the Commodity Futures Trading Commission do so and do so by a time certain.

It would also provide that there would be regulation of all persons—to the extent possible—who are engaged in trading in petroleum futures wherever the market is located unless and until there are regulations that are substantially identical to the Commission's regulations and that are fully and effectively enforced.

The proposal would provide an increased margin requirement that I spell out in the bill for the non-legitimate hedge trading, and that increased margin requirement would be designed to try to soak out the speculation in these markets and make it more difficult for the speculators.

The American people need some help here. They are the victims of a market that has the American consumer bobbing around at the bottom, watching these prices they can't afford go right to the top, day after day after day. How many more people are going to go to the gas pump and try to figure out how much can I put in and still buy the groceries I need? We had a man come to a meeting I held today who talked about the fact that a mother brought her

daughter to his office because she was talking about committing suicide. She brought her daughter in to get some medical help, but she didn't have enough gas to get back home. The mother had enough gas to get in with her daughter to see a doctor, but didn't have enough gas to get home. The mother stopped in the office of Ron His Horse is Thunder who is the tribal chairman of the Standing Rock Sioux Tribe to ask for some gas to be able to drive back home. The story is much sadder because the young lady then committed suicide some weeks later.

But think of the people around this country who are wondering, how can I afford the gas to go see the doctor, or to get to my job? Think of the owners of the trucking company that is trying to get by, which has been around for 30 years, but is thinking now that they can't continue. How about an airline that is struggling to make it and can't possibly afford to pay these jet fuel costs?

Does any of this matter to anybody? It does to me. If a significant part of the problem results from speculation, it seems to me we have a responsibility to deal with it. When markets are broken, we have a responsibility to address it.

My legislation will do just that. I don't claim that it is perfect or that it will be easy, but I do claim that it is not enough to come to the Chamber and talk about what we need to do is open ANWR. Ten years from now, good for us, we will have opened something that was one of the most pristine areas that we have set aside.

Do you want to drill? There is a lot more oil in the Gulf of Mexico than in ANWR. So let's not use a hood ornament called ANWR to describe America's current problems with respect to oil development. It is not accurate, and it is not, in my judgment, thoughtful. There are other ways for us to address this issue.

Mr. President, I am going to speak tomorrow, as well, as I introduce the legislation.

I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The majority leader is recognized.

UNANIMOUS CONSENT AGREEMENT—H.R. 6124

Mr. REID. Mr. President, I ask unanimous consent that when the Senate receives from the House the veto message on H.R. 6124, it be considered as read, and that it be printed in the RECORD and spread in full upon the Journal and held at the desk; that the Senate consider the veto message at 5:15 p.m. today, Wednesday, June 18; that the time until 5:30 p.m. be equally divided and controlled between the two leaders, or their designees; that at 5:30 p.m. the Senate proceed to vote on passage of the bill, the objections of the President notwithstanding, without further action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOOD, CONSERVATION, AND ENERGY ACT OF 2008—VETO

The PRESIDING OFFICER. Under the previous order, the veto message is considered read and spread in full upon the Journal and will be printed in the RECORD. The clerk will report.

The bill clerk read as follows:

Veto message to accompany H.R. 6124, to provide for the continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2012, and for other purposes.

The veto message ordered to be printed in the RECORD is as follows:

To the House of Representatives:

I am returning herewith without my approval H.R. 6124, the "Food, Conservation, and Energy Act of 2008."

The bill that I vetoed on May 21, 2008, H.R. 2419, which became Public Law 110-234, did not include the title III provisions that are in this bill. In passing H.R. 6124, the Congress had an opportunity to improve on H.R. 2419 by modifying certain objectionable, onerous, and fiscally imprudent provisions. Unfortunately, the Congress chose to send me the same unacceptable farm bill provisions in H.R. 6124, merely adding title III, I am returning this bill for the same reasons as stated in my veto message of May 21, 2008, on H.R. 2419.

For a year and a half, I have consistently asked that the Congress pass a good farm bill that I can sign. Regrettably, the Congress has failed to do so. At a time of high food prices and record farm income, this bill lacks program reform and fiscal discipline. It continues subsidies for the wealthy and increases farm bill spending by more than \$20 billion, while using budget gimmicks to hide much of the increase. It is inconsistent with our objectives in international trade negotiations, which include securing greater market access for American farmers and ranchers. It would needlessly expand the size and scope of government. Americans sent us to Washington to achieve results and be good stewards of their hard-earned taxpayer dollars. This bill violates that fundamental commitment.

In January 2007, my Administration put forward a fiscally responsible farm bill proposal that would improve the safety net for farmers and move current programs toward more market-oriented policies. The bill before me today fails to achieve these important goals.

At a time when net farm income is projected to increase by more than \$28 billion in 1 year, the American taxpayer should not be forced to subsidize

that group of farmers who have adjusted gross incomes of up to \$1.5 million. When commodity prices are at record highs, it is irresponsible to increase government subsidy rates for 15 crops, subsidize additional crops, and provide payments that further distort markets. Instead of better targeting farm programs, this bill eliminates the existing payment limit on marketing loan subsidies.

Now is also not the time to create a new uncapped revenue guarantee that could cost billions of dollars more than advertised. This is on top of a farm bill that is anticipated to cost more than \$600 billion, over 10 years. In addition, this bill would force many businesses to prepay their taxes in order to finance the additional spending.

This legislation is also filled with earmarks and other ill-considered provisions. Most notably, H.R. 6124 provides; \$175 million to address water issues for desert lakes; \$250 million for a 400,000-acre land purchase from a private owner; funding and authority for the noncompetitive sale of National Forest land to a ski resort; and \$382 million earmarked for a specific watershed. These earmarks, and the expansion of Davis-Bacon Act prevailing wage requirements, have no place in the farm bill. Rural and urban Americans alike are frustrated with excessive government spending and the funneling of taxpayer funds for pet projects. This bill will only add to that frustration.

The bill also contains a wide range of other objectionable provisions, including one that restricts our ability to redirect food aid dollars for emergency use at a time of great need globally. The bill does not include the requested authority to buy food in the developing world to save lives. Additionally, provisions in the bill raise serious constitutional concerns. For all the reasons outlined above, I must veto H.R. 6124.

I veto this bill fully aware that it is rare for a stand-alone farm bill not to receive the President's signature, but my action today is not without precedent. In 1956, President Eisenhower stood firmly on principle, citing high crop subsidies and too much government control of farm programs among the reasons for his veto. President Eisenhower wrote in his veto message, "Bad as some provisions of this bill are, I would have signed it if in total it could be interpreted as sound and good for farmers and the nation." For similar reasons, I am vetoing the bill before me today.

GEORGE W. BUSH.

THE WHITE HOUSE, June 18, 2008.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. is equally divided.

Mr. HARKIN. Mr. President, I will not take much time. We are here again for another vote on whether to override the President's veto of the Food, Conservation, and Energy Act of 2008, which we otherwise know as the farm bill. The veto message before the Senate is to accompany H.R. 6124, which is

the bill passed by both the Senate and the House of Representatives to enact the full conference report on the new farm bill in the exact form it was agreed to and intended by the conferees and approved by both bodies overwhelmingly last month.

That conference report, on the bill H.R. 2419, was approved by the House on May 14 by a vote of 318 to 106, and by the Senate on May 15 by a vote of 81 to 15. That measure was vetoed by the President, but after the veto it was discovered that one title of the bill—Title III, covering food aid and agricultural trade—had been inadvertently omitted during the enrollment process. At the time of that discovery the Memorial Day recess was imminent, as was the expiration of the extension of the previous farm bill enacted in 2002. Both bodies then voted to enact H.R. 2419, as it was enrolled, notwithstanding the President's veto. The House vote was 316 to 108 and the Senate vote was 82 to 13. Thus, 14 of the 15 titles of the farm bill, H.R. 2419, were fully enacted into law as agreed to and included in the conference report.

On May 22, the House with a vote of 306 to 110 passed the measure now before the Senate, H.R. 6124, which includes the entire farm bill conference report, in order to enact the Title III and, in effect, reenact the other titles that were enacted when the Senate overrode the President's veto of H.R. 2419. The Senate passed H.R. 6124 on June 5 by a vote of 77 to 15. The President vetoed the bill today, and earlier this afternoon the House voted 317 to 109 to enact the legislation notwithstanding the veto.

Since this legislation has been thoroughly debated previously, I don't need to take much time now. I will just sum it up by saying this is a very good bill. It continues, reforms and strengthens income protection for the benefit of farm and ranch families and the rural economy. The bill will move our Nation ahead in maintaining our pre-eminent position in the world in agriculture production. The nutrition title very significantly improves and strengthens food assistance. As we have pointed out, nearly 70 percent of the funding provided in this bill goes for nutrition and food assistance for Americans. The energy provisions will help unleash the potential of agriculture and rural communities to supply energy to our nation. And farmers and ranchers will receive significantly more help through funds and technical assistance to conserve and protect soil, improve water quality, and boost wildlife on their land.

Regarding Title III of this legislation, the majority of it involves the operation of our international food aid programs, in particular, the Title II Food for Peace program run by the Agency for International Development; the Food for Progress and McGovern-Dole Food for Education programs, both run by the Department of Agriculture; and the program for holding

food stocks for emergency purposes under the Bill Emerson Humanitarian Trust.

These authorities are vital to our Nation's efforts to alleviate hunger and poverty, and to foster development around the globe. So it is essential that we reinstate these authorities by enacting the legislation before us. We have included in this bill important reforms of the food aid programs, aimed at improving their operations and making them more responsive to humanitarian needs. All in all, the provisions of Title III of this bill are non-controversial and are definitely needed to ensure the continuity of U.S. food aid, as well as our very important agricultural trade promotion programs at the Department of Agriculture.

Mr. President, I thank my friend, the ranking member, who started this farm bill process when he was chairman of the Agriculture Committee, Senator CHAMBLISS of Georgia, and so many others who helped.

I see my good friend, Senator KENT CONRAD, chairman of the Budget Committee, who kept us on track through all these many days and nights of getting this bill put together. I want to thank them both for all their help in finally getting us to this point.

Let me also thank my colleagues for their patience and understanding in dealing with the unusual procedural history we have experienced in the course of enacting this bill. I am grateful for the overwhelming support for the legislation and for our work in completing it.

Because of the unusual procedural history of the Food, Conservation, and Energy Act of 2008, I want to note that the full legislative history for H.R. 2419, including the conference report statement of managers, committee reports, and statements in the CONGRESSIONAL RECORD are to be considered as legislative history for the provisions of H.R. 6124.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I think Senator HARKIN has said it all. It seems like we vote on the farm bill once a week as of late, and this is our weekly vote on the farm bill again. I do hope this is our last vote because this is such a serious piece of legislation.

I did a talk radio show a little earlier today, and we were talking about gas prices, and I talked about what we did in the farm bill relative to energy. The talk show host said: Wait a minute. All you are doing is getting criticized in the press over this farm bill. He said: This has some good stuff in it relative to gas prices.

I said: Yes, it really does.

So we did an awful lot in this bill relative to energy. We did an awful lot relative to nutrition, as the chairman said. And, finally, I think, hopefully, that message is going to get out across America.

The Chairman did a magnificent job leading us down this road, and I com-

mend him and thank him for his great work. And to my good friend, Senator CONRAD, without him this would not have gotten done. I appreciate his great leadership and great support.

I want to tell particularly the chairman, as we had our meeting today with the Secretary, we were talking about implementing, Mr. President, this farm bill, and we were reminded in that meeting about what is going on in Iowa today, as we speak. The banks of the Mississippi and a couple of other rivers out there are overflowing onto farmland and destroying crops and creating havoc. In this farm bill we have a disaster package that is not going to require emergency spending for the 2008 crop. And it was criticized very much as we went through the process, yet folks in Iowa are going to be hurting, and folks in Missouri, as that water comes downstream, are going to be hurting, and I think this farm bill is going to turn out to be the best product we have put out, from a farm bill perspective.

It will continue to be criticized, and it is not perfect by any means, but under the leadership of the chairman, I think it has been a great product, and I thank him and I thank Senator CONRAD for his great leadership and friendship that we have as a result of this farm bill.

To our staffs, thanks for great work. I look forward to this 5:30 vote, and I certainly hope this is the last one on the farm bill.

Mr. HARKIN. Mr. President, perhaps I could say the farm bill is so good we would like to have senators put their stamp of approval on it repeatedly.

The PRESIDING OFFICER. Who yields time?

Mr. HARKIN. Mr. President, I yield to the Senator from North Dakota whatever time he requires.

Mr. CONRAD. Mr. President, I thank the chairman and the ranking member. I thank them for their leadership and their partnership and their vision. This is a bill that is good for consumers, good for taxpayers, and good for farmers. This is the same song, second verse. We have been through this whole rotation once already, but we have to do it again.

I think it is very important to remind people this is much more than a farm bill. This is a food bill with important nutritional components. In fact, 66 percent of the spending in this bill goes for nutrition. It is an important conservation bill to conserve our national resources. It is an important energy bill, as was referenced by the chairman and the ranking member. This bill is going to turn the page on developing our long-range renewable energy potential, and it contains very significant farm program reform.

In addition, it provides a disaster title so the people who are being so devastated in Iowa, in other States, are not going to have to come to the Federal Government and ask for disaster aid. It will be there for them.

The bottom line is this bill does not add to the deficit or debt because this bill is paid for. That is not my claim; that is the finding of the Congressional Budget Office, which says over the first 5 years this bill has a modest surplus of \$67 million. And over the life of the bill, the 10-year projections that we are required to comply with, this bill saves \$110 million.

I conclude by again thanking the chairman for his vision, thanking his staff for their incredible dedication, and thanking the ranking member, Senator CHAMBLISS, whom I call Cool Hand Luke. You couldn't have a better guy in the pit, and it is a pit at times when you are writing a bill of this magnitude and this complexity and this importance. But he always kept his calm, and that helped enormously in these negotiations. And to his outstanding staff, we thank you. Thank you for being willing to serve in public life. We know you could make much more money some other place, but you have made an enormous contribution to this country.

Finally, to Jim Miller, who is my lead negotiator, my very special, personal thanks for extraordinary dedication, for doing something good for the country and my State.

I hope my colleagues will vote to override the President's ill-considered veto.

I yield the floor.

Mr. HARKIN. Mr. President, I see the hour is just about upon us to start our vote. Again, I also want to thank our staffs, our great staffs who have worked so hard on this legislation for so many months: Martha Scott Poindexter and Vernie Hubert, I see over here, and Mark Halverson, and all the rest of the staff who are here in the chamber. I mentioned them by name before, and I can't thank them enough for all their hard work. It has been a long endeavor, and they have worked so hard, I hope they will be able to take a vacation.

Again, to Senator CHAMBLISS, I cannot thank him enough for a great working relationship and helping to pull this bill through. Now we look ahead to next year and the child nutrition bill, as well as to other matters before us. I also thank Senator CHAMBLISS for his care and his concern, discussing with me—not only today but other times—the serious situation in the State of Iowa.

We are hurting bad. It is hard to describe it, what is happening in Iowa. This farm bill will put some new policies in place, including the new permanent disaster program we have included, and others in agriculture, such as for conservation of our soil and water, so we will be able to get through this terrible crisis we are facing in the State of Iowa right now, to recover, to rebuild, and to come back even stronger and prepared for the future.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding? The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from New York (Mrs. CLINTON), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from New Mexico (Mr. DOMENICI) and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Ms. STABENOW). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 80, nays 14, as follows:

[Rollcall Vote No. 151 Leg.]

YEAS—80

Akaka	Dole	Menendez
Alexander	Dorgan	Mikulski
Allard	Durbin	Murray
Barrasso	Enzi	Nelson (FL)
Baucus	Feingold	Nelson (NE)
Bayh	Feinstein	Pryor
Biden	Graham	Reid
Bingaman	Grassley	Roberts
Bond	Harkin	Rockefeller
Boxer	Hatch	Salazar
Brown	Hutchison	Sanders
Brownback	Inhofe	Schumer
Bunning	Inouye	Sessions
Burr	Isakson	Shelby
Cantwell	Johnson	Smith
Cardin	Kerry	Snowe
Carper	Klobuchar	Specter
Casey	Kohl	Stabenow
Chambliss	Landrieu	Stevens
Cochran	Lautenberg	Tester
Coleman	Leahy	Thune
Conrad	Levin	Vitter
Corker	Lieberman	Warner
Cornyn	Lincoln	Webb
Craig	Martinez	Wicker
Crapo	McCaskill	Wyden
Dodd	McConnell	

NAYS—14

Bennett	Gregg	Reed
Coburn	Hagel	Sununu
Collins	Kyl	Voinovich
DeMint	Lugar	Whitehouse
Ensign	Murkowski	

NOT VOTING—6

Byrd	Domenici	McCain
Clinton	Kennedy	Obama

The PRESIDING OFFICER. On this vote, the yeas are 80 and the nays are 14. Two-thirds of the Senators present and voting having voted in the affirmative, the bill, on reconsideration, is passed, the objections of the President of the United States to the contrary notwithstanding.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. REID. Madam President, this has been a difficult week. We have spent a lot of time in quorum calls. There has been a tremendous number of speeches. All have been good. I have enjoyed every one of them. But we have been working very hard to move to something on which we can work together. The housing bill has been brought to us by two of our most experienced legisla-

tors—Senators DODD and SHELBY. They both served in the House of Representatives. They are experienced. They understand how Capitol Hill works. Senator MCCONNELL and I have met with them, and we are now at a point, after a long discussion with them—they have had conversations with the administration; I have not had any, but they have—where Members should be advised that tomorrow morning at 9:30, as soon as the admiral completes his prayer and Senator MCCONNELL and I have anything to say, we are going to move immediately to the housing bill. There has been agreement with the managers, with Senator MCCONNELL and with me, that we are going to legislate on this bill. There will be amendments offered, and we will have amendments debated. We hope we can have some votes scheduled tomorrow. We are going to work, everybody should be advised, on Friday. Monday is a nonvote day. We have a lot of work we need to do on Monday.

I advise everyone, the break before the Fourth of July starts a week from the day after tomorrow. In that short week, we have 4 days. We have to make sure we complete this housing bill. We will have to take a run at seeing if FISA can be completed. Either the House is going to send us a bill or we have a message here from them and we will work on that. We also have the little piece of legislation, the supplemental appropriations bill. The House is going to have a rule on that tomorrow. We have permission, as I understand it, from the Republican leadership in the House that they can do a same-day rule. That matter will come to us sometime tomorrow night or Friday.

We have a lot to do. We all want to go home for the Fourth of July, and we all need to go home. We have parades and constituents to see. It is an important time. We spend a lot of time here, and it is important we get back to the States during the week rather than only on weekends. I think the Republican leader and I have an agreement on how we will proceed on the housing bill.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Madam President, let me echo the remarks of the majority leader. We are going to have an opportunity tomorrow to legislate like the Senate has long been accustomed to legislating. We are actually going to offer amendments. They are going to be related to the bill, and we are going to get started. The majority leader and I and Senator DODD and SHELBY all agree on how we ought to go forward. I hope Members on both sides who have amendments that are related to the subject matter will get them out early. Let's process them. Let's have the votes, and let's let the Senate work its will.

We also have the other items the majority leader has indicated we need to address before the recess. We will work

diligently to get passage on all those matters. There will be a lot of cooperation on this side of the aisle, and I am confident there will be on the other side of the aisle so we can have a productive workweek before the Fourth of July break.

The PRESIDING OFFICER. The majority leader.

Mr. REID. If I could say one or two additional things, I received a letter from, I think, nine Republican Senators and their request was totally valid. They said this is a big piece of legislation. Don't rush into it. I advise all Senators who sent me that letter, the legislation has been available all day. I hope they and their staffs looked through it. If there are provisions in it they think should be changed, that is what tomorrow and the next day and Monday will be all about.

While we have a good attendance in the Chamber, during July, there are no Monday no-vote days. In July, we are going to work all the work period. We also have a weekend that we have scheduled that we are going to be in session, July 25 we are going to be in session. Everyone has a lot of notice now to not plan anything for that weekend. We have work we need to do. I will be in close touch with the Republican leader tomorrow and on Monday, before we start our last rush, but everyone will have a good idea of what we are going to do in the next work period. Right now it is a little bit in flux, but we know there are things we have to complete.

This, of course, is the last vote for today. We will start tomorrow morning. Hopefully, we will have some votes.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

STRATEGIC ECONOMIC DIALOG WITH CHINA

Mr. BROWN. Madam President, today the administration is concluding its much-heralded fourth session of the strategic economic dialog with officials from the Chinese Government. Obviously, there have been three of these previous to this, when Secretary Paulson, Secretary of the Treasury, the brain of the Bush administration's economic policy, a very successful Wall Street banker who came to Washington amid all kinds of plaudits from at least Wall Street and many of the newspaper publishers and editors who side with Wall Street on most issues—Secretary Paulson is an honorable, decent man. He went to China again to engage in these strategic economic dialogs.

The big announcement today from these strategic economic dialogs, SEDs, is an agreement to begin negotiations for a bilateral investment treaty. That is all he has agreed to do with the Chinese, is to talk about how

we can help American investors in China get a fair shake from the Chinese Government. Of all the pressing issues we are currently facing in our bilateral relationship with China, Secretary Paulson chose to emphasize issues, frankly, that only stand to benefit the largest investors, the largest mutual funds, the largest hedge funds, the people on Wall Street who have benefitted the most from this global economy, the largest corporations that are outsourcing jobs to China. That is who benefits from these four strategic economic dialogs.

The focus on improving the Chinese stock market and increasing opportunities for foreign investors in China only stands to benefit major U.S. investors and large American companies that are considering moving offshore to China.

Secretary Paulson should have focused on issues that hurt American workers, the impact of the undervalued Chinese currency—part of the work of the junior Senator from Michigan in the Finance Committee—and Secretary Paulson should have been working to fix the lack of effective intellectual property rights enforcement in China, should have worked to correct the soaring bilateral trade deficit of \$57 billion—\$57 billion just for the first quarter of this year, up 20 percent over last year and on pace to set another record high, \$57 billion. That means—doing the math quickly—\$600 million or \$700 million. Every single day, we buy \$600 million or \$700 million of imports from China more than we sell to China—every single day. You do not think that is a big reason plants close in Tiffin and Fostoria and Zanesville and Cleveland, and in Lansing, Kalamazoo, and Detroit, MI?

Instead, Secretary Paulson is looking out for investors rather than workers, rather than communities—communities such as Mansfield and Portsmouth and Chillicothe. When a plant closes, firefighters are laid off, police officers are laid off, teachers are laid off. Quality of life diminishes every time we lose these jobs to China.

I would hope Secretary Paulson would consider the needs of the vast majority of Americans who would be better served by a different set of priorities, a different trade relation with China, not trying to fix the Chinese stock market and help U.S. investors and large corporations in the United States that are only looking for more offshoring opportunities. Yet, as the administration concludes its fourth Strategic Economic Dialogue, it has become clear that the SED has been an exercise in talking with no action.

Since the first SED in December 2006—he has done a couple of these every year—the U.S. trade deficit with China has grown \$25 billion per year. We have lost 581,000 manufacturing jobs. There have been at least 457—think about this—457 “Made in China” recalls by the Consumer Product Safety Commission. That is not counting

what happened with heparin, the contaminated ingredients that went into a drug that killed several people in Toledo, OH. It is not even counting that. That is 457 “Made in China” products recalled by the Consumer Product Safety Commission.

New Government reports, from various agencies, have given us new information that poses challenges to our relationship with China. The EPA—get this—it does not affect my part of the country quite as much—estimates that 25 percent of California's air pollution comes directly from China.

The State Department, meanwhile, released its annual “Trafficking in Persons Report,” which found significant problems with forced labor, including forced child labor, in the People's Republic of China. This is the fourth year in a row that China was put on a “watch list” of countries that could face sanctions if they do not improve their record on trafficking in persons. So where does it talk about this in the Strategic Economic Dialogue? Secretary Paulson wants to help American investors, wants to help U.S. companies that are going to go offshore, wants to help strengthen and repair the Chinese stock market. There is nothing about consumer product safety recalls, nothing about currency devaluation costing us jobs, nothing about trafficking in people and what that means to children and what that means to families.

In December 2006, when the Bush administration announced the Strategic Economic Dialogue with China, nearly 2 years ago, Treasury Secretary Paulson said the SED would focus on five specific areas. These were his own promises. These are not my opinions. These are not my advice or my counsel or my suggestions. These are what Secretary Paulson said he would focus on:

No. 1, the first was “Managing financial and macroeconomic cycles.”

China utilizes numerous questionable subsidies to artificially boost production, including \$27 billion in energy subsidies since 2000 for steel producers. Think about how uncompetitive that is and what it does to our steel industry and what it does to global warming because they do not have the same environmental rules and regulations on their steel industry as we rightly—rightly—have on our steel industry. Chinese steel production has increased more than 50 percent in the last 4 years. Steel exports to the United States are 129 percent higher than they were 3 years ago. That is more than twice as much steel imports from China to the United States.

The second was “Developing human capital.”

As I just mentioned, China's human rights abuses are notorious, as are their woefully inadequate labor conditions in many factories—not to mention child labor and all they do that way.

Third—one of Secretary Paulson's focuses of his five specific areas—“the benefits of trade and open markets.”

Beijing continues to undervalue its currency—as the Presiding Officer has said in the Finance Committee—by as much as 40 percent. Yet just last week, China's Ambassador to the World Trade Organization chastised the United States—chastised us, with whom they have a \$200 billion-plus trade surplus on their end—a deficit on ours—chastised the United States for the dollar's depreciation. In some ways, it is hard to argue with that, that our economic policies have caused this weaker dollar because of the Bush administration's wrong actions in some cases and inaction in others.

USTR has called China's counterfeit and piracy problems rampant, yet has done little to ensure compliance for American companies.

The fourth promise Secretary Paulson made in December 2006 about its focus on the Strategic Economic Dialogue was—his term—“Enhancing investment.”

This is one area the administration perhaps is addressing with the Bilateral Investment Treaty. I will give him one out of the first four.

Fifth, and finally, Secretary Paulson said, “Advancing joint opportunities for cooperation in energy and the environment.”

This Congress is weighing the merits of different climate change proposals, but one thing is certain: This Congress will pass legislation curbing carbon emissions. We need to do it in a way that ensures we do not just rely on Chinese imports that arrive in the United States without a carbon cost.

So, in other words, on four of the five, Secretary Paulson fell far short or simply did not even address it. Think what happens with our passing climate change if the Chinese do not pass any climate change and the Chinese do not strengthen their regulations on carbon emissions and other pollutants.

That means our factories—which have difficulty competing because of the cost of labor and all of that—our factories will have even more difficulty competing in Pennsylvania, Ohio, Michigan, and California and in all of the country because we will strengthen our environmental rules, as we should, we will reduce carbon emissions, as we should. The Chinese will benefit from that because they do not absorb the cost, they do not bear the cost of these kinds of environmental rules and regulations. So they get even more of a competitive advantage. What happens if a plant shuts down in Youngstown or shuts down in Steubenville or shuts down in Dayton and moves to China? Plants that were following decent emission standards move to China, and their carbon emissions are hardly regulated. So it means lost jobs for us. It means more pollution, more carbon emissions for the world from the People's Republic of China. It is another example of Secretary Paulson simply not addressing the issues that matter to our families, to our communities, to our workers, and to our country.

It is clear the Strategic Economic Dialogue has been lots of talk and no action. It is time for actions from the administration that benefit American workers, benefit American manufacturers, benefit American businesses, and protect consumers. It is time for a new direction in our trade policy with the People's Republic of China.

I thank the Presiding Officer and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SALAZAR. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SALAZAR. Madam President, I ask unanimous consent that I be permitted to speak as in morning business for as much time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Colorado.

OIL SHALE AND GAS PRICES

Mr. SALAZAR. Madam President, I come to the floor this evening to speak a few minutes about the issue of oil shale and gas prices.

Earlier today, the President of the United States, George W. Bush, spoke to the Nation at a press conference in which he said there were some things we could do immediately to try to address the energy crisis we are facing in America. One of the things he said could be done immediately was to begin the development of oil shale in the West, specifically the oil shale which now exists and is found in my State of Colorado. With all due respect to the President of the United States, he is wrong. There is nothing about the oil locked up in these shales, in these rocks of western Colorado that will bring about the kind of relief we somehow hope to be able to bring about to the consumers of oil in our country.

The fact is, we are a long ways from knowing whether oil shale can be a part of the portfolio of fulfilling the energy needs of the United States of America. To be frank about this, oil shale has been looked at as a possible source for oil for now nearly 100 years. There have been many booms and many busts with respect to oil shale development in the West and in my State of Colorado. I feel particular ownership of this issue because of the fact that 80 percent of the oil shale reserves we know of in the United States of America are located in my State.

Oftentimes, what will happen is people will make a comparison to the tar sands of Alberta in Canada, and they will say: You have the same kinds of possibilities within the State of Colorado. Nothing is further from the truth. The tar sands, the oil sands in Canada, essentially, are developed simply by putting water and mixing it with the sands, with the temperature

being 200 to 300 degrees, and the oil is then separated from the sands. That is because of the way the hydrocarbons exist in those sands. They could be easily separated from those sands. Today, millions of barrels are flowing into the United States from that development in Alberta, led by companies such as Suncor.

In contrast, what we are talking about in my State of Colorado, across the great and most beautiful part of our Nation, the Western Slope of Colorado, is oil that is locked in shale. Notwithstanding the billions of dollars that have been spent on research, no one has yet found the key to unlock the oil from that shale. So to say somehow giving away hundreds of thousands of acres of land for this, where this oil shale is contained, and allowing that land to be leased for oil shale development and saying that is a panacea for the gas price problem we are facing today is simply wrong. It is not true. It is not doable.

In 2005, I worked very closely with my Republican chairman, whom I call a great friend. The two Senators from the land of enchantment, Senator DOMENICI and Senator BINGAMAN, have now changed places. One is chairman and one is ranking member. But in 2005, Senator DOMENICI was the chairman of the Senate Energy Committee. We worked very closely to come up in our committee with legislation on oil shale development that allowed us to move forward to examine the possibility of oil shale as one of the items in our portfolio for our energy future. We came up with an approach that said we would go ahead and provide research and development leases to oil companies so they could go out and do the kind of research and development that is needed to take place in order to determine whether oil shale can be developed. So there are now some leases that have been issued for research and development in the State of Colorado. For each of those companies that has been given these 160 acres of leased land for research and development, they also are given a right under the law to get an additional 5,000 acres of land they can lease. So that is over 25,000 acres that can be developed into oil shale if, in fact, we can discover the technology that will let us do that.

But let us not fool the world. Let's not fool the world in the way the world has been fooled since the 1920s about the possibility of oil shale. Let's not let oil shale be allowed to be used as a political tool, as the President and others try to address the gas crisis our country is in. The fact of the matter is we are a long way from being able to say oil shale can be developed in a commercial way for the United States of America, and the approach we developed out of our Senate Energy Committee and passed out of this Chamber in the 2005 Energy Policy Act is the

right way to go. It embraces a thoughtful and constructive way forward to determining whether we can, in fact, develop the oil that is currently locked up in the rock.

I am not the only one who is saying these things. Chevron, one of the major oil companies of the world, in its own statement to the programmatic environmental impact statement comments submitted to the BLM, said the following:

Chevron believes that a full scale commercial leasing program should not proceed at this time without clear demonstration of commercial technologies.

That is an oil company that obviously has the capacity and the expertise to know the reality of oil shale and is, frankly, being candid and honest and straightforward with the American people about the possibility of oil shale.

Next, I would also point to the statements we have heard from the Department of the Interior. A few months ago, we had a hearing in front of the Energy Committee where the Assistant Secretary of the Interior, Assistant Secretary Allred, appeared before the committee. I asked the Assistant Secretary a number of questions. I will quote, again, as I did last week, what I asked and what his answers were.

I asked Assistant Secretary Allred the following:

When I look at your chart on oil shale development on public lands, you have at some point on that chart this little brown dot that says "project completion: phase 3—commercial." When do you think that will happen? What year?

The Assistant Secretary Allred responds:

Senator, it is hard to predict that because . . .

And then there was silence. So I then asked:

2011?

He responded:

Oh, no, I think, I think . . .

Silence.

I asked again:

2016?

He says in response to that:

Probably in the latter half.

I say:

2015 and beyond? 2015 and beyond.

So I continued to question him along these lines.

The bottom line is that even within the Department of the Interior, at the highest levels, they are saying that if we ever get to commercial production of oil shale, it is probably out until 2015. That is 7 years from now. Don't tell me that is going to have any effect today on gas prices, and yet, it is one of the cornerstones of what the President of the United States proposed to be the solution to the energy crisis we face in America today.

I beg to differ with the President of the United States, and I will not let the President of the United States or the Department of the Interior run

roughshod over the State of Colorado. Not today, not next month, not next year, not in 10 years. It is not going to happen. We can develop oil shale in the State of Colorado, but if we are going to do it, we are going to do it in a thoughtful and deliberate way.

I am proud of the fact that the leading newspapers of the western part of Colorado, including the Denver Post and the papers in Utah, have essentially said the same thing. These papers have lived with the history of the booms and the busts, including the big bust of the 1980s, with respect to oil shale. The Denver Post in its editorial says:

Developing oil shale has been a dream since the early 20th century, but careful planning is needed to make sure the dream doesn't turn into a nightmare.

It goes on to say some other things that are very supportive of a thoughtful and deliberative approach that I have tried to bring to oil shale development.

The Grand Junction Sentinel, which essentially is the newspaper that covers all the Western Slope of Colorado, some 20 counties, a paper whose editorial board knows good economics can come from thoughtful development of our natural resources but also a newspaper that has stood tall in terms of making sure we are protecting the long-term sustainability of the Western Slope. Here is what the Grand Junction Sentinel says in its editorial page. The Grand Junction Sentinel probably knows as much about water and public lands and natural resources as much as any other newspaper around the West. They know it because they live it. They know because they know that across the western part of Colorado, most of the land is owned by the Federal Government. The Federal Government owns 33 percent of the State of Colorado and most of that is located on the Western Slope.

Here is what the Grand Junction Sentinel, a conservative editorial board, had to say about this oil shale development. It says:

The notion that the one-year moratorium on commercial leasing approved by Congress last year is somehow a barrier to commercial development is nonsense. If anything, that moratorium should be extended.

It continues. The editorial was titled: "Congress is Pushing Another Shale Sham."

Continuing, it says:

Whatever technology is used to recover oil from shale, the impacts will include massive surface disturbance, huge demands for additional electric generation, and reservoirs full of Colorado's limited water, not to mention the hordes of additional workers who will descend on this area.

The Grand Junction Sentinel says in its editorial, joining the Denver Post, that as we move forward to look at oil shale as a possible energy source for our country, then we need to be thoughtful in terms of how we move forward.

The Salt Lake Tribune. There are some—a much smaller percentage of

the shale we are talking about is actually located in Utah, but the Salt Lake Tribune essentially has said the same thing. It says:

The development of oil shale deposits in eastern Utah, Wyoming, and Colorado would be an expensive undertaking, risky for the environment, and a drain on dwindling water resources, with no quick return in additional oil supplies to reduce America's dependence on foreign oil.

" . . . with no quick return in additional oil supplies to reduce America's dependence on foreign oil."

So when the President of the United States stands and he says to the American people that here is the answer to your high cost of gas and diesel and jet fuel today, and he says we are going to go to oil shale, there is a misrepresentation on what the contribution is going to be from oil shale development and a misstatement and a misapprehension, frankly, of what the facts and reality are with respect to oil shale development in the Western Slope of Colorado.

I wish to focus on a couple of those issues in a little more specific way. One of the realities we all know in the West—those of us who share the water of the Colorado River Basin—is that we live in a place that has a very limited water supply. The Colorado River supplies water to seven States: Wyoming, Colorado, New Mexico, Nevada, Arizona, and California. For 100 years, we have figured out a way of living together and sharing the supplies of water within the river. It is said today that there are some 500,000 to 1 million acre feet of water that can still be developed and then used within my State of Colorado under the compacts that govern the sharing of water on the Colorado River. Those compacts are very important. There is also a truth about oil shale and how it will use the water that is allocated to Colorado under those compacts.

But we don't know how much water is going to be required for oil shale development. We don't know whether it is 500,000 or 1 million or 2 million acre feet, and we don't know what the consequences, therefore, would be on agriculture within Colorado or on the municipalities that so depend on that water. So it is no surprise that most of the water entities involved in protecting Colorado's water compacts have come out against a head-long rush into oil shale development because they are concerned about what will happen with respect to the water supplies of the Colorado River if, in fact, we move forward at the full-scale commercial oil shale leasing program in a premature way.

So it would be my hope that as we look at the possibilities for dealing with the current energy prices, that we try to focus on real solutions. The real solutions, first and foremost, are for us to look long term and to avoid the failed policies of the past 30 years under, frankly, both Republican and Democratic administrations that have

gotten us to the point today where we are so overdependent on foreign oil that not only our national policy but our economic reality is being driven by that massive overdependence. So embracing the new world of energy, where we are looking at greater efficiencies, where we are looking at alternative fuels, where we are looking at advanced technologies such as those of the hybrid plug-in vehicle, and where we are looking at the development of our conventional resources in a thoughtful, honest, and balanced way is a way forward. It has to be the kind of energy policy we can sustain, not over a week or a political season or even the term of one President, but over a longer period of time. It is the kind of challenge for America that should summon the kind of political courage among all those who are involved in this debate, in the same way we were able to take on the Manhattan Project and build the atomic bomb in less than 4 years, where we were able to move forward and put a man on the Moon in less than 10 years from the time President Kennedy announced that vision and that goal for America. That is important, and that is long term.

It is also important that we do what we can in the short term to address this issue. We have had conversations about speculation of the markets and how speculation might be accounting for somewhere between 25 and 40 percent of the high price of oil we see today. We need to look into that question and see whether we can bring the rapid speculation under control. Those are undertakings we can take on and take on in the very near term.

In addition, I have heard my colleagues on the other side of the aisle say what we need to do is to open up all the lands in ANWR and other lands within the interior and offshore in order for us to be able to bring in additional supply into our energy stream for America. There is a possibility for us to open additional lands. There are lands, for example, within the gulf coast of Mexico, which we opened in the 2006 Energy bill, where we added some 8 million acres of additional land in the gulf that we said is now open for exploration. We have done a lot to try, in my view, to bring in additional supply in terms of our energy pipelines.

But we should not kid ourselves because we know today there are more than 60 million acres of public lands, both onshore and offshore, which have already been leased to the oil companies—60 million acres, far surpassing the acreage of ANWR, far surpassing any of the acreages being talked about now even on the gulf coast of Mexico that might be opened. So what is happening with all these public lands, resources of the United States of America under which lie significant reserves of oil? I would say there are huge opportunities there for oil and gas companies to go out and to develop the resources that are underneath those lands.

I conclude by saying, first, let us be honest about oil shale and its possibilities. Let's not oversell to the American public that this is somehow a panacea for America's energy needs.

Secondly, let's look long term, knowing there is going to be some pain but that we need to look long term at a new energy policy for the United States of America. As a parenthetical, I would say that is why these energy tax incentives we have been working on are so important for us to try and harness the energy of the Sun, the energy of the wind, the energy of biofuels, the energy of cellulosic and ethanol as we move forward on that frontier.

Thirdly, as we look at short-term solutions to help, in some way, alleviate the pain all Americans are feeling today with respect to high gas prices, that we be realistic with respect to the solutions to that particular challenge we face.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. SALAZAR. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. SALAZAR. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

LETTERS FROM VERMONT

Mr. LEAHY. Madam President, I would like to bring to the attention of my colleagues an op-ed piece by Bob Herbert that appeared in *The New York Times* on Saturday, June 14.

The editorial, entitled "Letters From Vermont," uses excerpts from powerful letters that Vermonters sent to my colleague and friend, Senator BERNIE SANDERS. In inviting these personal testimonials from Vermonters, Senator SANDERS has illuminated the debate—and, I hope, hastened action—on the struggles that millions of American families are facing in our current economy. Mr. Herbert's column has brought these letters to the attention of many, many more Americans.

So that all Members may review this illustrative and telling column, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the *New York Times*, June 14, 2008]

LETTERS FROM VERMONT

(By Bob Herbert)

Despite the focus on the housing crisis, gasoline prices and the economy in general,

the press has not done a good job capturing the intense economic anxiety—and even dread, in some cases—that has gripped tens of millions of working Americans, including many who consider themselves solidly middle class.

Working families are not just changing their travel plans and tightening up on purchases at the mall. There is real fear and a great deal of suffering out there.

A man who described himself as a conscientious worker who has always pinched his pennies wrote the following to Senator Bernie Sanders of Vermont:

"This winter, after keeping the heat just high enough to keep my pipes from bursting (the bedrooms are not heated and never got above 30 degrees) I began selling off my woodworking tools, snowblower, (pennies on the dollar) and furniture that had been handed down in my family from the early 1800s, just to keep the heat on.

"Today I am sad, broken, and very discouraged. I am thankful that the winter cold is behind us for a while, but now gas prices are rising yet again. I just can't keep up."

The people we have heard the least from in this epic campaign season have been the voters—ordinary Americans. We get plenty of polling data and alleged trends, but we don't hear the voices of real people.

Senator Sanders asked his constituents to write to him about their experiences in a difficult economy. He was blown away by both the volume of responses and "the depth of the pain" of many of those who wrote.

A 55-year-old man who said his economic condition was "very scary," wrote: "I don't live from paycheck to paycheck. I live day to day." He has no savings, he said. His gas tank is never more than a quarter full, and he can't afford to buy the "food items" he would like.

His sense of his own mortality was evident in every sentence, and he wondered how long he could continue. "I am concerned as gas prices climb daily," he said. "I am just tired. The harder that I work, the harder it gets. I work 12 to 14 hours daily, and it just doesn't help."

A working mother with two young children wrote: "Some nights we eat cereal and toast for dinner because that's all I have."

Another woman said she and her husband, both 65, "only eat two meals a day to conserve."

A woman who has been trying to sell her house for two years and described herself as "stretched to the breaking point," told the senator, "I don't go to church many Sundays because the gasoline is too expensive to drive there."

Many of the letters touched on the extremely harsh winter that pounded Vermont and exacerbated the economic distress. With fuel prices skyhigh, many residents turned to wood to heat their homes. A woman with a 9-year-old son wrote: "By February, we ran out of wood and I burned my mother's dining room furniture. . . . I'd like to order one of your flags and hang it upside down at the Capitol building. . . . We are certainly a country in distress."

Senator Sanders, an independent who caucuses with the Democrats, remarked on the disconnect between the harsh economic reality facing so many Americans and the Pollyanna claims of the Bush administration and others over the past several years.

The assertion that the economy was strong and getting stronger, repeated with the frequency of a mantra, hid the reality that working Americans have been taking a real beating, said Senator Sanders.

He pointed out that over the past seven or eight years, millions of Americans have lost health insurance coverage, lost pensions, and become deeply mired in debt. During that period, the median annual household income

for working-age Americans fell by about \$2,400.

"Americans work the longest hours of any people in the industrialized world," the senator said. "We even surpassed Japan."

But despite all that hard work—despite explosive improvements in technology and increased worker productivity—the middle class is struggling, losing ground and there's a very real possibility that the next generation of workers will have a lower standard of living than today's.

The letters to Senator Sanders offer a glimpse into the real lives of ordinary people in an economic environment that was sculpted to favor the very rich. One of the letters was from a woman in central Vermont who said she and her husband are in their mid-30s, are college-educated and have two young children.

"We are feeling distraught," she said, "that we may never 'get ahead' but will always be pedaling to just keep up."

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Madam President, a day or so ago, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, now numbering close to 800, are heartbreaking and touching. It is not just filling the tank; these high energy prices touch every aspect of our lives—family time, food prices, work commutes, the list goes on and on. Many Idahoans have taken efforts to cut back on the niceties to accommodate the necessities, but now far too many face the choice of which necessity to ignore—gas or food, job or family. For years, Congress has unsuccessfully grappled with a national energy policy; now we are at a point where decisions must be made, compromises must be negotiated if we are to finally be forward-thinking. This isn't only a question of what we are handing future generations; it's affecting families right here, right now. It is not just Idahoans. It is an issue that touches the live of every single American, no matter their socioeconomic status.

In an effort to seek solutions rather than focus only on the trouble, I have also asked Idahoans to share how they want Congress to resolve it, and the suggestions are voluminous and wide-ranging. Some start simply with conservation efforts, something that I have long supported, while others encourage increased offshore oil drilling and increased domestic production, more sustainable alternative and renewable energy sources, stronger support for nuclear energy options and more efficient transportation options. Nearly all have expressed concerns for not just their future, but for the future of their children and grandchildren. And they are adamant about Congress moving beyond half-truths and partisan politics to find solutions. While I may differ in my opinions on some suggestions, I am thrilled that so many have taken time to share their thoughts with me. Some have shared research, videos and book rec-

ommendations. To respect that effort, I plan on submitting every e-mail sent to me through energyprices@crapo.senate.gov to the CONGRESSIONAL RECORD. And to keep attention on this matter, I will be submitting them a few at a time every day until every one has been submitted. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention. I plan to continue working to find other ways to bring these stories to the attention of my colleagues in Congress. Today, I am starting this process with the following comments from Idahoans.

I ask unanimous consent to print in the RECORD comments from Idahoans.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEAR SENATOR CRAPO, I am very interested in the debate concerning rude oil and energy prices. I am a wheat farmer by profession and have been excited about the increased wheat prices, however, all of the input costs have significantly increased due to the fact that all inputs have either direct or indirect links to the price of crude oil. Freight costs have significantly increased across the board. Manufacturing costs for steel have soared, partly due to the energy costs. Pivot prices have increased by 20% this year and are expected to significantly increase next year also. Fertilizer prices, which were already unrealistically high last year have tripled from last year's prices. Although the price of wheat will likely be more than commensurate with the input costs this year, if commodity prices fall before the decline of input prices, (including and especially energy prices) farmers throughout the country will be in serious trouble.

In addition to the difficulties associated with farm input prices, my family's household income has not increased in proportion to the costs of household goods such as food, clothing, and family items. The relief check from the government will not come close to compensating for increased pricing, and will also decrease the value of the dollar and hence cause more inflated pricing, as well as increase our national debt.

Most Americans would agree that caring for our environment is important, however, a relatively small group of radical environmentalists have been using their screaming lobby to set policies which are extremely detrimental to the economy as well as the environment. How is it that oil drilled from the Middle East and freighted across the ocean is less harmful to "mother earth" than drilling in a single square mile in Alaska? I am adamantly opposed to the idea that we should be dependant upon the Middle East for oil when we have enough to last for at least one hundred years in reserve here in the United States. We are likely to have alternative technology to decrease our demand upon oil and most likely oil will be obsolete as an energy source within less than 50 years. Please listen to the less vocal majority who are pleading for drastically decreasing the restrictions and regulations on drilling and refining our domestic oil.

Sincerely,

LLOYD WARD.

DEAR MIKE CRAPO, We live on Robie Creek out side of Boise. My husband commutes to Nampa 2 days a week to work. We are also Ushers for Boise State University and have to commute to Boise for work. With the increase in Gas Price, our fuel costs have risen 148.00 in the past three months. It was al-

ready way to expensive. We are in our 70's so this is a hardship for us.

John McCain stating he will not drill in Alaska makes me so mad. I live next door to a lady who spent years in Barrow and the North Slope of Alaska. She said drilling would not hurt anything because there is nothing there. I have suggested Mr. McCain make a trip and check this out personally instead of listening to the environmentalist who has put us in this position in the first place along with the Socialist who want this country destroyed. I also think it is a shame to listen to the Stupid people who are costing us Billions to prevent global warming. The last I knew, God was in-charge and has been thru thousands of years of climate change. Who is going to pay back the tax payers when this is proven to be a political sham?

It would be so refreshing if we the people could ever get the truth about anything and have all of the agenda bleeped out.

BESS, Boise.

DEAR SENATOR CRAPO: We have noticed a big difference in prices in the past year. Instead of taking two vehicles to work five days a week, my husband and I have traveled together this past year to save on the gas. We leave our home in Firth, (our work hours are different), and he drops me off at work and travels to the other side of Idaho Falls to get to his job. I stay at work during the lunch hour and an extra hour after work until he comes to pick me up at night.

It used to cost us \$320.00 a month one year ago taking two vehicles to work. Now with one vehicle we are spending a minimum of \$340.00 just to get to work.

We also have the added concern of my husband's elderly parents. They will need our help more and we try to go see them once a month. We are spending \$100.00 per trip to get from Firth to Wendell and back.

1. Why isn't anyone concerned about the high oil consumption of container ships that bring goods from other countries?

2. Why are we allowing China and other countries to drill off of our shores when we can't drill off Florida?

3. What about all the wells that were drilled and capped in the Western Wyoming area and other areas of the U.S.?

4. Why are we not pushing harder for nuclear energy and other options and also expanding refinery capacity that could free us from dependence on other nations? They have us under their thumbs.

5. Why are the minority environmentalists controlling so much of our lives? We believe they are not being realistic and subjecting us to other nations' whims. Global warming, it snowed here last week, second week of June. Where is the global warming? There is more global warming controlled by the sun and not man. The earth has always had ups and downs in its weather patterns. Why doesn't anybody ask an environmentalist what they live in, what they wear and how they get to their protests? It seems they are protesting everything they use.

Thank you for work you are doing and asking for our opinions.

MICHAEL AND SUSAN, Firth.

DEAR SENATOR CRAPO, thank you for giving me the opportunity to write to you on this issue and also for your efforts on our behalf.

I have a PhD in Aerospace Engineering and more than thirty years experience.

I can only address the engineering aspects of this question, not the political aspects, though I am afraid that the problem is largely a political and psychological one, not a technical one.

The technological facts are these: We can have energy independence and a 75% reduction in air pollution at the same time and it

wouldn't cost the taxpayers a dime. In order to achieve this we would have to convert our power generation from fossil fuel to nuclear and hydroelectric, and switch to electric cars, trucks and trains. The technology for this exists now, although some of it is still in the laboratory. What is preventing its implementation is government regulation.

After World War II, the utilities put forward a plan to convert all of this country's power generation to nuclear and hydroelectric. The plan was eminently feasible, but was blocked by government regulation. During the 1970s, congress passed what was popularly know as the "small hydro bill".

This excellent piece of legislation sought to encourage cities and towns to take advantage of their local rivers and streams to generate power. This would have given local communities a reliable source of clean, low cost power, and reduced the need for long distance transmission lines and dependence on the grid. Implementation of this plan was blocked by the environmentalists.

Solar energy and wind power are not practical alternatives.

Nuclear power is safe. In more than fifty years of generating power in this country, not a single person has ever been killed or injured by a nuclear accident. So far as I am aware, not a single person has ever been killed or injured by a nuclear power plant with its reactor in a containment building. The accident at Chernobyl was possible only because the reactors there were not housed in a containment building.

Nuclear power is inexpensive. What is making nuclear power plants expensive is excessive and irrational government regulation, based not on sound science and engineering, but on a desire to appease the environmentalists. This was true as far back as 1967. The effect of this government regulation is not to make nuclear power plants safer, but to make them impossible.

Government regulation, especially NHTSA, is preventing entrepreneurs from making electric cars. There is not a single company manufacturing electric cars in this country for sale to the public. That is a disgrace. The FMVSS (Federal Motor Vehicle Safety Standards) are nonsensical gibberish. NHTSA needs to be abolished and the politicians and the bureaucrats need to stop interfering in car design.

In summary, the whole huge body of excessive, irrational government regulation which has piled up over that last 60 years needs to be repealed.

Government is the problem. The solution is for government to get out of the way.

Most respectfully yours,

STEFAN, PhD (aerospace engineering).

SENATOR CRAPO: I couldn't possibly disagree w/you more with respect to the current energy situation. I think that the high prices for gas/diesel that we're experiencing are a necessary evil. It is time for this entire country, but our politicians in Washington (yes, this means you!) especially, to wake up & realize that the amount of petroleum on this planet based is finite. The current problem with prices should not be dealt w/by some half-assed politically motivated Band-Aid.

The United States has a chance to be at the forefront of research into whatever technology will ultimately replace petroleum-based energy. Rather than subsidizing ethanol production from corn (absolutely no advantage in terms of use of petroleum—it's merely at a different phase of production), why not step up to the plate & provide incentives for research into alternative energy. Instead of the U.S. depending on foreign oil, why not make the rest of the world dependent on U.S. company patents for whatever

ultimately replaces petroleum as the leading energy technology?

Thanks for listening,

TODD, Boise.

DEAR MIKE, We appreciate this opportunity to share with you how energy prices are affecting us and hope this will help you convince your colleagues that something needs to be done NOW!!

We are farmers in southern Idaho. We are helping to keep this country fed. It is 40 miles to our nearest town where we shop for all our needs—from groceries to supplies to run the farm. Our fuel is delivered from 40 miles away as well. We have no public transportation to rely on so we have no choice but to keep driving our vehicles to supply our needs and to try to conserve where we can. Just today, we had to drive 90 miles one way to obtain a repair part for our hay harvesting equipment. That trip cost us nearly twice what it would have cost this time last year. Diesel for our tractors is nearly \$5.00/gallon. If Congress doesn't act now, this country is going to wake up to food shortages because we won't be able to afford to keep filling our fuel tanks to keep the food pipeline full. Trucks won't be able to afford to keep transporting food to the stores and one day in the not too distant future, the store shelves will be empty. What will Congress do then about the riots and other violence that will result? We want our energy companies to drill for oil NOW, both on and off shore! We want our energy companies to drill in ANWR, NOW!!! We want our energy companies to be able to utilize Coal-to-Oil technologies NOW!!! We want to be free of our dependence on the Middle East for our energy needs. If nuclear energy can be utilized safely, let's use it.

Let's use wind turbines. Let's utilize solar farms on our vast acreages of public lands here in Idaho. We must act before our economy is destroyed. It will take decades to repair the damage if Congress doesn't act NOW!!!!

Feel free to share our story.

Sincerely,

KIRT AND JANET, Malta.

You've got this one about right.

Our problems as usual are the result of allowing political expediency to make bad policy.

We can no longer afford to genuflect at the green altar. By all means let's streamline the approval process for new nuclear plants and begin drilling ASAP in ANWR and off both coasts. THE STATES DO NOT HAVE SOVEREIGNTY OVER THEIR COASTAL WATERS. If the federal government can tie up half of Idaho, it should also be able to approve drilling off the coasts of FL, CA et al.

In your letter, you skip over another aggravating factor inflicted on our economy by Congress. I refer of course to the ethanol mandate. The primaries are over. Iowa has once again been shamelessly pandered to. Repeal the ethanol mandate, eliminate tariffs on imported (Brazilian sugar based) ethanol. Watch fuel and food cost drop simultaneously. This should be a no brainer even for Congress.

STU, Donnelly.

SENATOR CRAPO: I first want to thank you for even being considerate enough to ask my opinion. Not asking constituents is a major problem with our politics these days but that issue is for another email.

My family is fortunate enough that the rising energy costs are, at this point, a frustrating inconvenience and not a major issue as it is with many. What is of concern to me is our country's willingness to be held hostage by others in the world. We have vast re-

serves of our own fossil fuel that we refuse to develop in addition to our refusal to develop nuclear energy, wind and solar sources. As I understand it, we do not want to "damage" the environment. I don't want to "damage" our environment either but GOD has blessed this country with resources and the technology for developing those resources has changed for the better in the last 50 years.

I am also tired of the rhetoric that 'in Europe energy costs have been much higher than here for decades'. Well, the plain truth is I don't live in Europe. The USA has been, until outsourcing became our corporate goal, the most advanced, the most productive, the most ingenious, the most prosperous, the most giving nation in ALL of history. Besides, why don't I hear the cost comparison with Venezuela? Gasoline there is \$0.25 per gallon. Why don't we become more like them? Not that I would want to, but you get my drift.

Not to belabor the issue, but the rising cost of energy is only one of the visual symptoms of a much deeper problem. The problem of being stripped of our national identity, of falling victim to the erroneous global warming scam, of the socialist philosophy of wealth distribution, just to mention a few elitist liberal doctrines.

Anyway, I want to thank you again for your interest in my thoughts. Keep up the good fight.

RUSSELL, Hayden.

Fuel prices are devastating every section of our economy. A family reunion trip from Nampa to Seattle and Return in my diesel pickup and camper cost \$460 for fuel alone. Idaho Power has implemented two major price increases since the first of the year. Intermountain Gas has raised their price recently by nearly 9 percent. Our food prices are skyrocketing while our government tries to substitute fuel from food for ample resources of energy in the ground we walk on but aren't allowed to drill for.

Congress and the administration should be ashamed that we are not utilizing safe nuclear energy and expanding use of our coal resources. You (collectively) have stopped the development of nearly all natural resources available to us and also stopped the building of refineries to keep up with the U.S. demand for oil.

It has made life much tougher for those of us who aren't depending on the public to take care of us.

Shame on all of you.

LARRY, Nampa.

COMMENDING MOUNT OLIVE TROJANS

Mr. BURR. Madam President, I rise today to congratulate a college baseball team that won a national title last month.

I am speaking of Mount Olive College in Mount Olive, NC. They beat Ouachita Baptist in a 6-2 victory to win the NCAA Division II National Baseball Championship—the first national championship title of any kind in Mount Olive College history.

The Mount Olive Trojans finished the season with a 58-6 overall record. The Trojans ended their season strong winning 24 out of their final 26 games.

This win marks an especially extraordinary one for Mount Olive College Trojans. This is the Trojans first-ever national championship win in any sport. In a town made famous for their

pickles, baseball can now be added as a point of interest.

Led by head coach Carl Lancaster, the Trojans were up by a five-run lead at the end of the first inning. Thanks in part to Josh Harrison's at-bat that resulted in a single and Dylan Holton's three-run double, Mount Olive mounted an early 5-0 advantage over Ouachita Baptist.

Mount Olive College was featured on national television in the May edition of "NCAA On Campus." This gave the players a chance to brag a little about their accomplishments, as all nine players in the Trojans' starting lineup were nationally ranked in at least one statistical category at the time of tapping.

The Trojans' efforts have not gone unnoticed by Major League Baseball. Five of the players from Mount Olive's 2008 National Championship team will all be playing professionally in the coming year. Additionally, four players have been named All American. This is wonderful news for these deserving young men.

Also due recognition is the Trojans' academic performance. Their emphasis on academic success earned them a team grade point average of 3.13 on a 4 point scale.

The baseball team's success can be attributed to their well-rounded 2008 roster that included: Jackson Massey, Jesse Lancaster, Anthony Hernandez, Anthony Williams, Weston Curles, Todd Jeffreys, David Cooper, Mike Kicia, Paul Novicki, Tyler Smith, Pat Ball, Alex Vertchnik, Dylan Holton, Rich Racobaldo, Joseph Westbrook, Andy Hilliard, Kyle Jones, Jason Sherrer, Josh Harrison, Casey Hodges, Erik Lovett, Michael Williams, Ryan Schlecht, Craig Beasley, Thomas Newsome, and Airlon Vinson. The team was coached by: Carl Lancaster, Aaron Akin, and Rob Watt.

Again, I commend the Mount Olive Trojans, the 2008 NCAA Division II Baseball National Championship team and coach Carl Lancaster on an incredible season. Also, I would like to wish those players drafted into the Major Leagues the best of luck.

ADDITIONAL STATEMENTS

RECOGNIZING MAURICE A. CALDERON

• Mrs. BOXER. Madam President, I am pleased to ask my colleagues to join me in recognizing a longtime community leader in Inland Southern California, Maurice A. Calderon, as he retires from a long career of service and support to his community.

Maurice Calderon as a board member for Banning Unified School District, as a trustee with the San Jacinto Community College District, and as a trustee for the San Bernardino Valley College Foundation. Mr. Calderon has also served as a member of the foundation for the University of California, Riverside.

Maurice Calderon has also served his community through involvement in a number of community organizations. He is a member of the Inland Empire Hispanic Chamber of Commerce and the Inland Empire African American Chamber of Commerce. He has served as the director of the Inland Empire Economic Partnership, and as chairman of the Inland Empire Hispanic Leadership Council. Maurice is also the president of Sinfonia Mexicana, a Hispanic symphony that provides cultural enrichment throughout the region.

For his longstanding work throughout various communities, Maurice Calderon has been the recipient of numerous titles of distinction and awards of commendation. He has been named the "Father of the Year" and the "Citizen of the Year" by the cities of Banning and Beaumont, respectively. Hispanic Lifestyle Magazine and the Inland Empire Hispanic Chamber of Commerce named him the "Hispanic of the Year," and he was named to the Southern California Native American and Latino Hall of Fame. In April 2004, he was honored as the recipient of the Reconocimiento Ohtli Award, which is given by the Mexican Ministry of Foreign Affairs to role models who have successfully contributed to the well-being of their communities. And in 2005, the city of Banning acknowledged Maurice and the entire Calderon family for their more than 100 years of community service, and named a street in their honor, "Calderon Way."

As Mr. Calderon retires, he can look back on a distinguished career of service to his community, to education, and to cultural awareness. I join with members of his community in wishing him a wonderful retirement.●

TRIBUTE TO MAJOR GENERAL MICHAEL A. COLLINGS

• Mr. CHAMBLISS. Madam President, I pay tribute to an exceptional officer in the U.S. Air Force, MG Michael A. Collings upon his retirement after more than 33 years of distinguished service. Throughout his career, General Collings has personified the Air Force core values of integrity, selfless service, and excellence in the many missions the Air Force provides in defense of our nation. It is my privilege to recognize his many accomplishments and to commend him for the superb service he has provided the Air Force and our Nation.

General Collings entered the U.S. Air Force as a graduate of Southern Illinois University's Reserve Officer Training Corps program in 1974. His career has spanned a variety of operational assignments and major command staff functions. A command pilot with more than 2600 hours in the T-37, T-38 and F-16, General Collings spent more than 10 years in the cockpit, instructing in the T-37, F-16 and at the U.S. Air Force Fighter Weapons School. Moving to the logistics field in 1987, General Collings has served on the

staff at Headquarters, U.S. Air Force, Washington DC, Headquarters Pacific Air Forces, Hickam Air Force Base, HI, and Headquarters Air Combat Command, Langley Air Force Base, VA. He has commanded two squadrons, two groups, and two wings including the 82nd Training Wing at Sheppard Air Force Base, Texas and the Warner Robins Air Logistics Center, Air Force Materiel Command, Robins Air Force Base, GA.

His assignments have increased in scope and responsibility, culminating in his current assignment as Chief, Office of Military Cooperation, Egypt. As the Senior U.S. Defense Representative to Egypt, General Collings leads six divisions responsible for all aspects of the security assistance mission in Egypt. In addition to providing advice and assistance to the Government of Egypt on a wide range of military procurement and training issues, the Office of Military Cooperation serves as a liaison between the Egyptian Ministry of Defense and United States Central Command, coordinating the planning of joint military exercises throughout the region.

During his career, General Collings has served the U.S. Air Force and our Nation with excellence, distinction, and unwavering integrity. His exceptional leadership skills have been evident throughout his career as he repeatedly demonstrated superb command and operational leadership, a brilliant and innovative vision for his unit's future, and an unmatched loyalty to his faith, people and country.

General Collings will retire from the U.S. Air Force on August 1, 2008 after 33 years and 1 month of dedicated commissioned service. On behalf of Congress, the country, and the State of Georgia, I thank General Collings, his wife Jan, and their entire family for the commitment and sacrifices they have made throughout his honorable service. Congratulations on completing an outstanding and exemplary military career.●

100TH ANNIVERSARY OF THE U.S. NAVY NURSE CORPS

• Mr. INOUE. Madam President, today I wish to commemorate the 100th anniversary of the U.S. Navy Nurse Corps.

As a proud supporter of the Navy Nurse Corps, both the officers and the many enlisted and civilian personnel who work alongside them, I am pleased that we are recognizing their contributions to our navy and our great nation.

On May 13, 1908, President Theodore Roosevelt signed the Naval Appropriations bill that authorized the establishment of the Nurse Corps as a unique staff corps of the Navy. A small group of trained nurses were carefully chosen to establish an "orderly, disciplined corps with a respectable reputation and excellent benefits, if somewhat limited pay." Leaving societal norms behind, the Sacred Twenty, led by Ms. Esther

Voorhees Hasson, introduced safe hygiene practices in the care of patients and trained enlisted medical personnel.

By 1918, the Nurse Corps grew to over 1,030. During World War I, Navy nurses served on ships and deployed to Europe to serve at base hospitals in France, Scotland and Ireland. Superintendent Lenah Sutcliffe Higbee was recognized with the Navy Cross for her success in developing an innovative training camp which quickly prepared nurses to meet the growing war requirement. Many years later, Superintendent Higbee would receive a most auspicious honor when she became the first living woman and only Navy nurse to have a ship named after her. The destroyer, *USS Higbee* was commissioned in 1944.

World War II became the defining moment in the lives of an entire generation of Americans. Amidst the startling images of the horrors associated with war, came heroic accounts of the tenacity and faith demonstrated by American servicemen and women on a daily basis. On battlefronts from North Africa to Italy to Normandy to Corregidor and Bataan, the nurses of World War II contributed greatly to the care of the wounded, the morale of the fighting men, and the development of nursing as a profession. It was during this war, that 11 Navy Nurses were taken prisoner by the Imperial Japanese in the Philippines. Spending thirty seven months in an internment camp where starvation and psychological warfare were commonplace, these nurses continued to care for patients without regard to self.

Throughout the war, Navy nurses served at 40 naval hospitals, 176 dispensaries, on board 12 hospital ships and as flight nurses on air evacuation missions. Admiral Halsey said of Navy nurses: "They magnificently upheld the highest traditions of U.S. Naval Service." Navy nurses earned over 300 military awards for their exceptional duty during the war.

From the humble beginnings of the pioneering "Sacred Twenty" to today's Nurse Corps force of 4,100 strong, Navy nurses continue to answer the call of duty whether it is at the bedside of a patient in a stateside military hospital, in a joint humanitarian mission aboard a hospital ship transiting the Pacific or in the throes of conflict in Iraq.

Today we recognize the men and women of the Navy Nurse Corps for their selfless service and dedication to our nation and our military. I commend the Navy Nurse Corps for its commitment to excellence and for a century of leadership and caring for America's Navy and Marine Corps from 1908 to 2008.●

HONORING DR. MICHAEL E. BROWN

● Mrs. BOXER. Madam President, I am pleased to ask my colleagues to join me in honoring Michael E. Brown, Ph.D., as he retires from a long and successful career as a leader in edu-

cation. This month, Dr. Brown will retire as assistant superintendent of instructional services with Rialto Unified School District in southern California, and can look back on a proud career of service and distinction in education and community leadership.

Dr. Brown will retire after almost four decades of leadership in Rialto Unified School District. Dr. Brown's service in education began in 1971 when he began as a teacher in Rialto teaching fifth and sixth grade. In 1976 Dr. Brown was awarded his Ph.D. in education from the University of California, Riverside. Dr. Brown would then serve the district as a program specialist, as a principal, as director of curriculum, and as assistant superintendent.

Numerous schools under his leadership have received California Distinguished Schools Awards, and all elementary schools in the district have seen increased API scores. Middle schools and high schools have similarly seen growth in their AVID programs both in student participation and success.

Dr. Brown has also worked tirelessly in his community. He served in the California National Guard from 1969 through 1975, and has served in various community organizations such as Kiwanis International, Phi Delta Kappa International, the Boy Scouts of America, and as an active member in his church congregation.

As he retires from almost four decades in education, I am pleased to ask my colleagues to join me in recognizing his many accomplishments.●

THE RETIREMENT OF DAN MAYER

● Mr. JOHNSON. Madam President, today I wish to recognize the service of Mr. Dan Mayer, who has been in the banking business for nearly 49 years. Spending the past 47 years in Sturgis, SD, Dan has helped guide peers and new generations alike toward success in the beautiful Black Hills.

Dan began his career and community service in Sturgis in 1959. After being elected to the Sturgis city council in 1968, he served for 22 years, presiding as president for several terms. In 1973, Dan was part of the group that started the Sturgis Industrial Economic Expansion Corporation, which developed the first Sturgis Industrial Park.

I remember when Dan and other city leaders met with me to discuss expanding their industrial park, intent on making Sturgis an attractive and effective place to start a business. I was pleased to work with the group to obtain funds for the expansion, which eventually attracted gun and ammunition manufacturers to the industrial park.

With nearly five decades of personal and professional ties to the Sturgis area, Dan is still an active force in the community. He currently serves on the Heritage Acres Board, the Sturgis Industrial Board, the Sturgis Hospital

Advisory Board, and the Sturgis Water Board. One Sturgis resident is quoted as having said, "Our business wouldn't be here without this man. He believed in our community and, at the most vital of times, he believed in us."

Dan will be retiring on June 19, 2008 and intends to stay in the Sturgis area, retaining his positions on the local boards. I want to commend Dan for his longstanding and steadfast commitment to the betterment of his community. Being in the banking business for so many years, Dan has been a major influence in the lives of Sturgis area residents. He has seen countless families through home and ranch purchases, home improvements and business start-ups and expansions. Along with his wife Donna, children Jamie and Mark, and nine grandchildren, Dan has strived to fulfill his commitment of making Sturgis and the surrounding area a greater place to live, work, and raise a family. I am most deeply grateful for the opportunity to thank Dan for his efforts, and eagerly look forward to his continued involvement in the community.●

RECOGNIZING THE VERMONT ALL STARS

● Mr. SANDERS. Madam President, today, I recognize the Vermont All Stars, the Vermont math team that won first place in Division B of the American Mathematics League's Regional Competition, held this year at Pennsylvania State University. The team was comprised of 15 Vermont students, ranging from grades 8 through 12, and seven alternates. The country-wide event, of which this was a part, is the Nation's highest precollegiate math competition.

In the individual competition, two Vermonters placed in the top 10. Both students achieved perfect scores, which qualified them to advance to a final round, which ultimately determined the ranking of the 10 students who received perfect scores. Following up perfection with an even tougher competition, Colin Sandon placed fifth overall, and David Rolnick placed tenth. Both Colin and David are high school seniors who will attend the Massachusetts Institute of Technology in the fall.

Deserving of special mention—and special honor—is Mr. Anthony Trono, both founder and coach of the team. Tony Trono is a retired math teacher who had a long career teaching mathematics at Burlington High School.

Many years ago he began a program entitled the Vermont Talent Search, in which a math test is distributed to middle school and high school students. This was to be the first step in bringing Vermont students to the American Math League competition. The top achievers on the Vermont Talent Search tests are chosen for the team that competes in the American Mathematics League's competition.

Not content with working on this, and desiring to share his love of mathematics with students all over our

State, Tony Trono also runs a week-long summer math camp at the University of Vermont.

Because family reasons precluded him from accompanying the team this year, as he has done so often before, Barbara Unger chaperoned the team to Penn State. Like Tony a retired math teacher, from Middlebury Union High School, she said of Tony Trono, "He has given his life to upper level math." How true that is!

Our Nation has excelled in the areas of math, engineering and science in large measure because of dedicated teachers such as Tony Trono—and Barbara Unger. They serve as role models to future generations of teachers, in addition to so ably training generation after generation of capable—and as the recent success of the Vermont All Stars indicates—superior mathematicians. Our State and our Nation owe a deep debt of gratitude to Tony Trono and to the many thousands of dedicated math teachers who follow along similar paths by sharing their love of mathematics.●

125TH ANNIVERSARY OF ARTESIAN, SOUTH DAKOTA

● Mr. JOHNSON. Madam President, today I recognize the community of Artesian, SD, on reaching the 125th anniversary of its founding. Artesian is a rural community infused with hospitality, beauty, and an exceptional quality of life.

The city of Artesian was founded in 1883 and named after the abundance of flowing wells, known as artesian wells, in its part of South Dakota. As over a third of its citizens are of German descent, the Artesian community of Sanborn County still appreciates and exemplifies its rich heritage.

Today, Artesian has come a long way from its days as a railroad supply center. The town now boasts a variety of businesses, including those in both the service and manufacturing sectors. A community center, multiple churches, a post office, veterinarian, and 4-H club continuously bring the community closer.

The people of Artesian celebrate this momentous occasion on the weekend of July 4-6, 2008 with a street dance, fireworks, and a parade. South Dakota's small communities are the bedrock of our economy and vital to the future of our State. It is especially because of our small communities, and the feelings of loyalty and familiarity that they engender, that I am proud to call South Dakota home. Towns like Artesian and its citizens are no different and truly know what it means to be South Dakotan. One hundred twenty-five years after its founding, Artesian remains a vital community and a great asset to the wonderful state of South Dakota. I am proud to honor Artesian on this historic milestone.●

GREENLAND POINT CENTER, INC.

● Ms. SNOWE. Madam President, as this Saturday marks the official beginning of summer, I rise to recognize a small nonprofit from my home State of Maine that has championed the activities that have made the State a long-time destination for seasonal travel and exploration. Since 2005, the Greenland Point Center, Inc., on Long Lake in Princeton, has served to educate both youth and adults on issues of conservation and leadership while promoting outdoor activities and learning.

Originally founded in 1978, the Greenland Point Center previously operated under the auspices of the University of Maine at Machias. Facing closure in 2004, community members and conservation groups from around the state rallied behind it, purchasing the land that housed the camp from the University and revitalizing the program.

Today the Greenland Point Center, which has become a perennial favorite for Mainers and their families, hosts a series of camps designed to allow children and families to explore the natural world and grow as individuals. At the same time, the center works to empower campers by teaching them many of the vital safety skills that are imperative to the successful enjoyment of this Nation's natural resources. The center's exciting camp programs range from the more traditional Wet 'N' Wild Camp, where campers learn to canoe and sail, to the Downeast Teen Leadership Camp, where middle-school students from Maine's Washington County have an opportunity to learn the skills necessary to help them lead healthy lifestyles as they progress through the often challenging adolescent years. Thousands of young men and women who have attended the Greenland Point Center's camps have come to appreciate the solemn responsibilities of environmental stewardship while being encouraged to enjoy the boundless energies of youth.

The firm has a deep commitment to making the opportunities that it offers available to all youth, regardless of their financial situation. To promote that goal, the Greenland Point Center works tirelessly to provide scholarships for financially disadvantaged individuals who wish to experience the natural wonders of the State of Maine. Of particular note, each year's Maine Moose Permit Auction raises scholarship money for the Center, affording numerous youngsters from across the State the chance to take part in discovering Maine's beautiful surroundings.

Additionally, the Greenland Point Center is an active participant in the nationwide "Hooked on Fishing—Not On Drugs" program. Founded by the Future Fisherman Foundation and funded through the Maine Department of Inland Fisheries and Wildlife, "Hooked on Fishing—Not On Drugs" seeks to keep Maine's youth off drugs by teaching angling skills, conservation efforts, and social skills, pre-

serving proud traditions while promoting a healthy way of life.

The State of Maine has long been a proud bastion of outdoor adventure and protecting the environment. The Greenland Point Center has served to help maintain the appreciation of nature and all of its wonder. Coupled with lessons in healthy physical, mental, and emotional lifestyles, the Greenland Point Center has served the youth of Maine and the Nation while shaping a new generation of leaders and entrepreneurs. I congratulate the Greenland Point Center on its past achievements and wish everyone involved success as the Center continues to nurture America's youth.●

RECOGNIZING DR. ED RENWICK

● Mr. VITTER. Madam President, today I stand in recognition of Dr. Ed Renwick, who served as director of the Loyola University Institute of Politics for more than 30 years, until his recent retirement on June 1, 2008. I would like to take some time to make a few remarks on his accomplishments as director and recognize his contributions to the Louisiana community.

As the director of this unique educational program, he served as a mentor to many future politicians and political experts. His keen ability to explain the nuances of Louisiana politics made him particularly extraordinary and provided his many students with a unique insight into our State's storied history. His teaching methods were groundbreaking as they focused on the empirical ends of Government rather than their theoretical origins. In particular, Dr. Renwick focused on the way in which political theory works in practice, how it actually affects the daily decisions of elected officials and political candidates.

In addition to his service as director, he also served as a respected member of the political science faculty, which he will continue to serve following his retirement. As both an administrator and an educator, Dr. Renwick was well known for his insights that jumpstarted the political careers of many Louisianans. In choosing his fellows, he targeted individuals from diverse political, economic and social groups, in order to force bipartisan efforts to work through complex issues important to Louisiana. Thus, he taught them the importance of finding common ground rather than letting them crumble under their differences.

I was fortunate enough to be a fellow under Renwick, and I can confidently say that I am still benefitting from the knowledge and experience I gained during the program. Dr. Renwick's innovative methods helped reveal the idiosyncrasies of Louisiana politics to his students.

Thus, today, I am proud to honor a fellow Louisianan, Dr. Ed Renwick, for his distinguished service to the Loyola University community and the State of Louisiana.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Finance.

(The nomination received today is printed at the end of the Senate proceedings.)

REPORT OF THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS DECLARED IN EXECUTIVE ORDER 13159 OF JUNE 21, 2000, WITH RESPECT TO THE RISK OF NUCLEAR PROLIFERATION CREATED BY THE ACCUMULATION OF WEAPONS-USABLE FISSILE MATERIAL IN THE TERRITORY OF THE RUSSIAN FEDERATION—PM 53

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the emergency declared in Executive Order 13159 of June 21, 2000, with respect to the risk of nuclear proliferation created by the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation is to continue beyond June 21, 2008.

It remains a major national security goal of the United States to ensure that fissile material removed from Russian nuclear weapons pursuant to various arms control and disarmament agreements is dedicated to peaceful uses, subject to transparency measures, and protected from diversion to activities of proliferation concern. The accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared with respect to the risk of nuclear prolifera-

tion created by the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation and maintain in force these emergency authorities to respond to this threat.

GEORGE W. BUSH.
THE WHITE HOUSE, June 18, 2008.

MESSAGE FROM THE HOUSE

At 5:13 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House of Representatives having proceeded to reconsider the bill (H.R. 6124) to provide for the continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2012, and for other purposes, returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, that the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 634) to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

The message further announced that the House has agreed to the following bills, without amendment:

S. 188. An act to revise the short title of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.

S. 1692. An act to grant a Federal charter to Korean War Veterans Association, Incorporated.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-6630. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fenoxaprop-ethyl; Pesticide Tolerance for Emergency Exemptions" (FRL No. 8366-6) received on June 13, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6631. A communication from the Chairman, Farm Credit Administration, transmitting, pursuant to law, a report on the Agency's 2008-2013 Strategic Plan; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6632. A communication from the Chairman, Defense Nuclear Facilities Safety Board, transmitting, pursuant to law, a report on the Status of Significant Unresolved Issues with the Department of Energy's Design and Construction Projects; to the Committee on Armed Services.

EC-6633. A communication from the General Counsel, Office of Federal Housing Enterprise Oversight, transmitting, pursuant to law, a report entitled "Risk-Based Capital Regulation-Loss Severity Amendments"; to the Committee on Banking, Housing, and Urban Affairs.

EC-6634. A communication from the Acting Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, notification that during the period of January 1, 2007, through December 31, 2007, no exceptions to the prohibition against favored treatment of a government securities broker or government securities dealer were granted by the Secretary of the Treasury; to the Committee on Banking, Housing, and Urban Affairs.

EC-6635. A communication from the President, Federal Home Loan Bank of Cincinnati, transmitting, pursuant to law, the 2007 management statement on its system of internal controls; to the Committee on Banking, Housing, and Urban Affairs.

EC-6636. A communication from the Acting Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Export Administration Regulations Based on the 2007 Missile Technology Control Regime Plenary Agreements" (RIN0694-AE23) received on June 13, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6637. A communication from the Acting Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Expansion of the Gift Parcel License Exception Regarding Cuba to Authorize Mobile Phones and Related Software and Equipment" (RIN0964-AE37) received on June 13, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6638. A communication from the Vice President and Controller, Federal Home Loan Bank of Boston, transmitting, pursuant to law, a report on the system of internal controls; to the Committee on Banking, Housing, and Urban Affairs.

EC-6639. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (73 FR 28046) received on June 13, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6640. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (73 FR 28044) received on June 13, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6641. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (73 FR 26026) received on June 13, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6642. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (73 FR 28350) received on June 13, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6643. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (73 FR 26030) received on June 13, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6644. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security,

transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (73 FR 25560) received on June 13, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6645. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (73 FR 25542) received on June 13, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6646. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (73 FR 24178) received on June 13, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6647. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Assistance Program Under the 9/11 Heroes Stamp Act of 2001" (73 FR 28357) received on June 13, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6648. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (73 FR 23121) received on June 13, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6649. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Disaster Assistance; Change in Federal Share for Alternate Projects for Public Facilities" (73 FR 20549) received on May 2, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6650. A communication from the Chief Counsel, Federal Emergency Management Administration, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "National Insurance Program; Assistance to Private Sector Property Insurers; Write-your-own Arrangement" (RIN1660-AA58) received on June 13, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6651. A communication from the Deputy Assistant Administrator, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final Rule; Allocation of Trips to Closed Area II Yellowtail Flounder Special Access Program" (RIN0648-AW69) received on June 13, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6652. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "MMPA List of Fisheries for 2005" (RIN0648-AS78); to the Committee on Commerce, Science, and Transportation.

EC-6653. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Temporary Rule to Require Modifications to Lobster Trap/Pot and Gillnet Fishing Gear to Protect Right Whales" (ID No. 11806D) received on June 13, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6654. A communication from the Deputy Assistant Administrator for Regulatory

Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Temporary Rule to Require Modifications to Lobster Trap/Pot and Gillnet Fishing Gear to Protect Right Whales" (ID 110806C) received on June 13, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6655. A communication from the Acting Assistant Administrator, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Sea Turtle Conservation; Modification to Fishing Activities" (RIN0648-AU10) received on June 13, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6656. A communication from the Acting Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "NASA Grant and Cooperative Agreement Handbook-C.A.S.E. Reporting and Property Delegations" (RIN2700-AD40) received on June 11, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6657. A communication from the Acting Assistant Administrator, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Framework 19, Atlantic Sea Scallop Fishery Management Plan" (RIN0648-AV90) received on June 13, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6658. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Emergency Rule to Close the Southeast U.S. Gillnet Fishery to Protect Right Whales" (RIN0698-AU95) received on June 13, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6659. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "West Virginia Regulatory Program" (Docket No. WV-114-FOR) received on June 13, 2008; to the Committee on Energy and Natural Resources.

EC-6660. A communication from the Acting Assistant Director, Directives and Regulations Branch, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Forest System Land Management Planning" (RIN0596-AB86) received on April 17, 2008; to the Committee on Energy and Natural Resources.

EC-6661. A communication from the Commissioner, Office of the Secretary, Department of the Interior, transmitting a draft bill entitled, "Reclamation Title Transfer Act of 2008"; to the Committee on Energy and Natural Resources.

EC-6662. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to staffing of the Intelligent Transportation Systems Program Advisory Committee; to the Committee on Environment and Public Works.

EC-6663. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, notification that the cost of response and recovery efforts for FEMA-3284-EM in the State of Texas has exceeded the limit for a single emergency declaration; to the Committee on Environment and Public Works.

EC-6664. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, notification that the cost of response and recovery efforts for FEMA-3230-EM in the State of Il-

linois has exceeded the limit for a single emergency declaration; to the Committee on Environment and Public Works.

EC-6665. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Office of the Secretary, Department of the Interior, transmitting a draft bill entitled, "Duck Stamp Improvement Act of 2008"; to the Committee on Environment and Public Works.

EC-6666. A communication from the Chairman, Nuclear Regulatory Commission, transmitting a draft bill intended to amend the Atomic Energy Act of 1954 and the Energy Reorganization Act of 1974; to the Committee on Environment and Public Works.

EC-6667. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Alabama; Prevention of Significant Deterioration and Nonattainment New Source Review; Correction" (FRL No. 8579-6) received on June 13, 2008; to the Committee on Environment and Public Works.

EC-6668. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri" (FRL No. 8581-7) received on June 13, 2008; to the Committee on Environment and Public Works.

EC-6669. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri" (FRL No. 8581-9) received on June 13, 2008; to the Committee on Environment and Public Works.

EC-6670. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Stratospheric Ozone: Revision of Refrigerant Recovery Only Equipment Standards" ((RIN2060-AP18)(FRL No. 8582-6)) received on June 13, 2008; to the Committee on Environment and Public Works.

EC-6671. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations" ((RIN2060-AM37)(FRL No. 8581-3)) received on June 13, 2008; to the Committee on Environment and Public Works.

EC-6672. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Pollutant Discharge Elimination System Water Transfers Rule" ((RIN2040-AE86)(FRL No. 8579-3)) received on June 13, 2008; to the Committee on Environment and Public Works.

EC-6673. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2008-53) received on June 13, 2008; to the Committee on Finance.

EC-6674. A communication from the Chairman, United States International Trade Commission, transmitting, pursuant to law, a report entitled, "Fiscal Year 2007 USITC Purchases Manufactured Outside the United States"; to the Committee on Finance.

EC-6675. A communication from the Secretary of Labor, transmitting the report of a draft bill entitled, "Unemployment Compensation Program Integrity Act of 2008"; to the Committee on Finance.

EC-6676. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed technical assistance agreement for the export of technical data, defense services, and defense articles in the amount of \$50,000,000 or more to The Ministry of Defense of the State of Kuwait; to the Committee on Foreign Relations.

EC-6677. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed technical assistance agreement for the export of technical data, defense services, and defense articles in the amount of \$50,000,000 or more to the Government of Mexico; to the Committee on Foreign Relations.

EC-6678. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense services, and defense articles in the amount of \$100,000,000 or more to Norway for the production of the Evolved Sea Sparrow (ESSM) program rocket motor operated by NATO; to the Committee on Foreign Relations.

EC-6679. A communication from the Ambassador at Large, Coordinator for Counter-Terrorism, Department of State, transmitting, pursuant to law, notification of a correction in the Department's annual report entitled, "Country Reports on Terrorism 2007"; to the Committee on Foreign Relations.

EC-6680. A communication from the Chairman, Railroad Retirement Board, transmitting, pursuant to law, a report on the actuarial status of the railroad retirement system, including recommendations for financing changes; to the Committee on Health, Education, Labor, and Pensions.

EC-6681. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Labeling: Health Claims; Dietary Noncariogenic Carbohydrate Sweeteners and Dental Caries" (Docket No. FDA-2006-P-0404) received on June 13, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-6682. A communication from the Secretary of Education, transmitting, pursuant to law, a report on the Department's Semiannual Report to Congress on Audit Follow-Up covering the period of October 1, 2007, through March 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-6683. A communication from the Chairman, Farm Credit Administration, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2007, through March 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-6684. A communication from the Chairman, Federal Trade Commission, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2007, through March 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-6685. A communication from the Chair, Equal Employment Opportunity Commission, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period ending March 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-6686. A communication from the Director, Peace Corps, transmitting, pursuant to law, the Office of Inspector General's Semi-

annual Report for the period of October 1, 2007, through March 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BAUCUS, from the Committee on Finance, without amendment and with a preamble:

S.J. Res. 38. A joint resolution waiving certain provisions of the Trade Act of 1974 relating to the appointment of a Deputy United States Trade Representative.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. BAUCUS for the Committee on Finance.

Eric M. Thorson, of Virginia, to be Inspector General, Department of the Treasury.

*Richard T. Morrison, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years.

*David Gustafson, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years.

*Elizabeth Crewson Paris, of the District of Columbia, to be a Judge of the United States Tax Court for a term of fifteen years.

*Edwin Eck, of Montana, to be a Member of the Internal Revenue Service Oversight Board for a term expiring September 14, 2008.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REID (for Mrs. CLINTON (for herself and Mr. SCHUMER)):

S. 3145. A bill to designate a portion of United States Route 20A, located in Orchard Park, New York, as the "Timothy J. Russert Highway"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 3146. A bill to authorize the exploration of oil and natural gas in coastal areas to reduce the dependence of the United States on foreign energy sources, and to reduce gasoline and natural gas prices; to the Committee on Energy and Natural Resources.

By Mr. WARNER (for himself and Mr. WEBB):

S. 3147. A bill to authorize the State of Virginia to petition for authorization to conduct natural gas exploration and drilling activities in the coastal zone of the State; to the Committee on Energy and Natural Resources.

By Mr. WYDEN:

S. 3148. A bill to modify the boundary of the Oregon Caves National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN:

S. 3149. A bill to amend the Wild and Scenic Rivers Act to add certain segments to the Rogue River designation, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER:

S. 3150. A bill to prohibit the Secretary of Transportation or the Administrator of Federal Aviation Administration from conducting auctions, implementing congestion pricing, limiting airport operations, or charging certain use fees at airports; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWN (for himself and Mr. BROWNBACK):

S. 3151. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to priority review vouchers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. NELSON of Florida (for himself and Mr. MARTINEZ):

S. 3152. A bill to provide for a comprehensive study by the National Research Council of the National Academies to assess the water management, needs, and conservation of the Apalachicola-Chattahoochee-Flint River System; to the Committee on Environment and Public Works.

By Mr. SCHUMER (for himself, Mr. CORKER, Mr. ALEXANDER, and Mrs. DOLE):

S. 3153. A bill to amend the Federal Financial Institutions Examination Council Act of 1978, to require the Council to establish a single telephone number that consumers with complaints or inquiries could call and be routed to the appropriate Federal banking agency or State bank supervisor, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER:

S. 3154. A bill to require the Federal Communications Commission to prescribe a standard to preclude commercials from being broadcast at louder volumes than the program material they accompany; to the Committee on Commerce, Science, and Transportation.

By Mr. LEAHY (for himself, Mr. SPECTER, and Mr. KOHL):

S. 3155. A bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes; to the Committee on the Judiciary.

By Mr. WICKER:

S. 3156. A bill to require the Federal Communications Commission to prescribe a standard to preclude commercials from being broadcast at louder volumes than the program material they accompany; to the Committee on Commerce, Science, and Transportation.

By Mr. KYL:

S. 3157. A bill to provide for the exchange and conveyance of certain National Forest System land and other land in southeast Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. HUTCHISON (for herself and Mr. CORNYN):

S. Con. Res. 91. A concurrent resolution honoring Army Specialist Monica L. Brown, of Lake Jackson, Texas, extending gratitude to her and her family, and pledging continuing support for the men and women of the United States Armed Forces; considered and agreed to.

ADDITIONAL COSPONSORS

S. 450

At the request of Mr. ENSIGN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 450, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 545

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of S. 545, a bill to improve consumer access to passenger vehicle loss data held by insurers.

S. 702

At the request of Mr. KOHL, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 702, a bill to authorize the Attorney General to award grants to State courts to develop and implement State courts interpreter programs.

S. 963

At the request of Mr. MENENDEZ, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 963, a bill to authorize the Secretary of Education to make grants to educational organizations to carry out educational programs about the Holocaust.

S. 1190

At the request of Mr. DURBIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1190, a bill to promote the deployment and adoption of telecommunications services and information technologies, and for other purposes.

S. 1437

At the request of Ms. STABENOW, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from Oklahoma (Mr. INHOFE), the Senator from Hawaii (Mr. AKAKA), the Senator from Delaware (Mr. BIDEN), the Senator from Washington (Ms. CANTWELL), the Senator from Delaware (Mr. CARPER), the Senator from Pennsylvania (Mr. CASEY), the Senator from North Dakota (Mr. CONRAD), the Senator from North Dakota (Mr. DORGAN), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Hawaii (Mr. INOUE), the Senator from South Dakota (Mr. JOHNSON), the Senator from Washington (Mrs. MURRAY), the Senator from Nebraska (Mr. NELSON), the Senator from Rhode Island (Mr. REED), the Senator from Iowa (Mr. HARKIN), the Senator from Montana (Mr. TESTER) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1437, a bill to require the Secretary of the Treasury to mint coins in commemoration of the semicentennial of the enactment of the Civil Rights Act of 1964.

S. 1708

At the request of Mr. DODD, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1708, a bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment,

and research activities related to Lyme and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 2059

At the request of Mr. SMITH, his name was added as a cosponsor of S. 2059, a bill to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

At the request of Mr. BOND, his name was added as a cosponsor of S. 2059, *supra*.

S. 2504

At the request of Mr. NELSON of Florida, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 2504, a bill to amend title 36, United States Code, to grant a Federal charter to the Military Officers Association of America, and for other purposes.

S. 2579

At the request of Mr. INOUE, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2579, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the United States Army in 1775, to honor the American soldier of both today and yesterday, in wartime and in peace, and to commemorate the traditions, history, and heritage of the United States Army and its role in American society, from the colonial period to today.

S. 2585

At the request of Mr. HARKIN, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 2585, a bill to provide for the enhancement of the suicide prevention programs of the Department of Defense, and for other purposes.

S. 2666

At the request of Ms. CANTWELL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2666, a bill to amend the Internal Revenue Code of 1986 to encourage investment in affordable housing, and for other purposes.

S. 2668

At the request of Mr. KERRY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2668, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 2731

At the request of Mr. BIDEN, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 2731, a bill to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and for other purposes.

At the request of Mr. MCCAIN, his name was added as a cosponsor of S. 2731, *supra*.

S. 2766

At the request of Mr. NELSON of Florida, the names of the Senator from

Massachusetts (Mr. KERRY) and the Senator from Colorado (Mr. ALLARD) were added as cosponsors of S. 2766, a bill to amend the Federal Water Pollution Control Act to address certain discharges incidental to the normal operation of a recreational vessel.

S. 2816

At the request of Mr. VOINOVICH, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 2816, a bill to provide for the appointment of the Chief Human Capital Officer of the Department of Homeland Security by the Secretary of Homeland Security.

S. 2828

At the request of Mr. BAUCUS, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2828, a bill to require the Secretary of the Treasury to mint and issue coins commemorating the 100th anniversary of the establishment of Glacier National Park, and for other purposes.

S. 2907

At the request of Mr. INOUE, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 2907, a bill to establish uniform administrative and enforcement procedures and penalties for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes.

S. 2920

At the request of Mr. KERRY, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2920, a bill to reauthorize and improve the financing and entrepreneurial development programs of the Small Business Administration, and for other purposes.

S. 3038

At the request of Mr. GRASSLEY, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 3038, a bill to amend part E of title IV of the Social Security Act to extend the adoption incentives program, to authorize States to establish a relative guardianship program, to promote the adoption of children with special needs, and for other purposes.

S. 3122

At the request of Ms. CANTWELL, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 3122, a bill to amend the Commodity Exchange Act to provide for the regulation of oil commodities markets, and for other purposes.

S. 3141

At the request of Mrs. MURRAY, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 3141, a bill to provide for nondiscrimination by eligible lenders in the Federal Family Education Loan Program.

S.J. RES. 41

At the request of Mr. MCCONNELL, the names of the Senator from Nebraska (Mr. HAGEL), the Senator from Georgia (Mr. CHAMBLISS), the Senator from New Mexico (Mr. DOMENICI), the Senator from Texas (Mrs. HUTCHISON) and the Senator from Ohio (Mr. VOINOVICH) were added as cosponsors of S.J. Res. 41, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. CON. RES. 89

At the request of Mr. BURR, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. Con. Res. 89, a concurrent resolution authorizing Frank Woodruff Buckles to lie in honor in the rotunda of the Capitol upon his death.

S. RES. 580

At the request of Mr. BAYH, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. Res. 580, a resolution expressing the sense of the Senate on preventing Iran from acquiring a nuclear weapons capability.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WARNER (for himself and Mr. WEBB):

S. 3147. A bill to authorize the State of Virginia to petition for authorization to conduct natural gas exploration and drilling activities in the coastal zone of the State; to the Committee on Energy and Natural Resources.

Mr. WARNER. Mr. President, I join those today who are addressing the issue of the energy problems that are facing our country today.

I commend the President of the United States today with regard to the offshore drilling decision that he has made, and prior thereto the indication by Senator MCCAIN as to his initiatives that he will take, in due course, I hope.

But we have to focus on not only the long picture, I will address that momentarily, but what we can do now, what we can do today and tomorrow to help alleviate the many hardships that this price structure—which none of us really envisioned—this price structure is inflicting on the American families today.

I was very proud to submit a resolution to this Senate on May 22, 2008, joined by a number of colleagues and cosponsors. I would like to once again read this short resolution in which the Senate spoke with regard to this issue about steps that could be taken now to help lessen the demand every day for the need of gasoline.

On May 22 the Senate said as follows:

S. RES. 577

Whereas each day, as Americans contend with rising gasoline prices, personal stories reflect the ways in which—

- (1) family budgets are suffering; and
- (2) the cost of gasoline is impacting the way Americans cope with that serious problem in family and work environments;

Whereas, as a consequence of economic pressures, Americans are finding ways to reduce consumption of gasoline, such as—

- (1) driving less frequently;
- (2) altering daily routines; and
- (3) even changing family vacation plans;

Whereas those conservation efforts bring hardships but save funds that can be redirected to meet essential family needs;

Whereas, just as individuals are reducing energy consumption, the Federal Government, including Congress, should take steps to conserve energy;

Whereas a Government-wide initiative to conserve energy would send a signal to Americans that the Federal Government—

- (1) recognizes the burdens imposed by unprecedented energy costs; and
- (2) will participate in activities to reduce energy consumption; and

Whereas an overall reduction of gasoline consumption by the Federal Government by even a few percentage points would send a strong signal that, as a nation, the United States is joining to conserve energy: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President should require all Federal departments and agencies to take initiatives to reduce daily consumption of gasoline and other fuels by the departments and agencies.

That is the end of the sense-of-the-Senate resolution.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a letter that I wrote to the President a few days earlier, on May 16, addressing this very issue.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. WARNER. That is a short step. But I do wish to refer to the future.

As noted earlier, the President has made his announcement this morning. But I would like to welcome him to this decisionmaking now to go to offshore drilling. With due respect to the Presiding Officer, we have different views expressed here a few moments ago. I want to go back over the history of this Senator, working with many others, on this issue of drilling offshore.

First, during the debate on the Energy Policy Act of 2005, H.R. 6, I attempted to offer an amendment that sought to allow States to opt out of the Federal moratorium on offshore drilling. I was joined by Senators ALEXANDER and VOINOVICH in that effort. Unfortunately, due to opposition to my proposal and the threat that my amendment would or could doom the whole bill, I withdrew the amendment, out of recognition of the hard work done by the managers.

But at that time, I warned my colleagues, and I said, standing at this very seat: I regret to predict this, but I see nothing but danger signs with regard to worldwide energy consumption and the predicament facing the United States of America.

That was over 2½ years ago that I so stated my concerns and also indicated that I wanted to support the move toward offshore drilling. So I regret that prediction of some years ago is now coming true.

Later, in 2005, I came to the floor for a second time in an attempt to push forward legislation that would allow States to opt out of the Federal moratorium. This legislation, known as the Outer Continental Shelf Revenue Sharing Act of 2005, S. 1810, was introduced 6 weeks after the devastating effects of Hurricane Katrina.

I remind my colleagues that at the time, it was shockingly clear how vulnerable and how fragile our Nation's energy infrastructure, especially our oil and gas infrastructure, was to such a terrible disaster. Every American felt the effects of this terrible hurricane at the gas pump.

Again, however, no action was taken on my bill. But I did not give up. Less than 6 months later I came to the floor again, this time with my colleagues, Senators Allen, Talent, and Santorum, all three no longer Members of our Senate, and also Senator MARK PRYOR, who very much is a Member of our Senate today, to address this issue.

We introduced the Reliable and Affordable Natural Gas Energy Reform Act of 2006, S. 2290. The bill sought to amend the Outer Continental Shelf Lands Act to allow coastal States to share in qualified OCS revenues should they choose, as States, to allow the exploration for natural gas only.

S. 2290 would have allowed a State to lift the moratorium and share in OCS revenues should their Governor successfully petition to allow drilling for natural gas off their coasts.

Again, no action was taken on this bill.

Finally, I came to the Senate floor last June, a year ago this month, when gas prices were almost \$1 lower than they are today, to offer, once again, an amendment on this subject. Specifically, my amendment would have allowed the Commonwealth of Virginia to explore for natural gas off its shores, a step already approved by the Governor of Virginia and our State legislature. If a natural gas reserve was found, the Governor, with the support of the State legislature, could have petitioned the Secretary of Interior to allow for the extraction of natural gas off the shores of Virginia. Furthermore, my amendment gave a voice in the process to the Secretary of Defense and to Virginia's neighboring States. I even set up a fund that would have provided money for environmental damage mitigation. Again, due to the opposition from some of my fellow Senators, my amendment was unsuccessful, failing 43-44, and today we continue to suffer from soaring energy prices. But I will never give up; never, never, never will I give up.

It is my firm belief that America must take a balanced approach toward its energy policy. That is why, for the Memorial Day recess, I joined the chairman of the Energy and Natural Resources Committee in submitting and adopting the sense-of-the-Senate resolution I just read.

And that is why today I send to the desk and file a bill in keeping with

those who want to do offshore drilling. It is virtually identical to ones I have been submitting for nearly 3 years.

Mr. President, I am very privileged to be joined in this effort to have offshore drilling off the State of Virginia by my distinguished colleague, Senator WEBB, who wishes to be a cosponsor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WEBB. Mr. President, I voted in favor of the senior Senator's amendment last year when he offered it. I would like to join him as a cosponsor today on the legislation he has just introduced which is a modification of the amendment that was introduced last year.

I know there are justifiable concerns about the issue of offshore drilling. I know the Chair has spoken eloquently about those concerns on many occasions. Also, I would like to say that the senior Senator from Virginia has been one of the great voices in favor of moving cautiously with respect to issues concerning our environment. He was one of the principal cosponsors on the climate change bill we just recently debated. He has proceeded carefully with respect to this legislation. There are appropriate safeguards in the legislation.

I express my strong concern that we as a body must proceed carefully forward over the next year or so to renew our efforts to address the issue of global warming and climate change on the one hand and a sensible policy that allows us to bring forward all of the aspects of energy production and technology that will allow us to take advantage of the assets our country has. A part of that would be a renewal in the proper form of nuclear power production, such as we have seen in countries such as France and Japan. Part of it would be a sensible policy with respect to coal production, the assets of which are so vast in this country. We can move forward in that area with the right sort of technology in place, but also in the areas the senior Senator is addressing in his legislation today. He is proposing to move forward carefully with respect to offshore drilling. There are safeguards with respect to State involvement that are a good counterbalance to concerns people would have. He has built in a reserve to mitigate potential environmental damages, if they were to occur. Most importantly, he is realistic at looking at where we have to move as a country. We need affirmative leadership. We can't simply step away and not address solutions with respect to different energy alternatives.

This legislation allows for revenue flow that we need to address other issues such as rebuilding our infrastructure. Part of this revenue flow would go to the Federal Government; part of it also would go to the State government.

As the Senator and I are so well aware, because of a lot of different issues, we are having difficulty in the

State of Virginia addressing infrastructure issues, transportation issues, the types of things we must get on top of if we are going to remain the preeminent Nation in the world in terms of being able to compete in a global economy. This process, once approved—actually, a two-step procedure by State government—would allow for income flow through royalties into the State government so that we can address these issues, one of which is so glaring in Virginia right now: our inability to see transportation projects funded at a time when the population of Virginia has so dramatically increased. In my view, the senior Senator has put forward legislation that is responsible. He is a friend of the environment. He is careful in terms of the different aspects of government involvement. I am pleased to support it.

Mr. WARNER. I thank my colleague. We have, in a very short time together, although we have known each other many years, formed a strong working partnership, not only on behalf of Virginia but on behalf of this great Nation in many ways. I thank him for joining me today. I know he looks to the future. I also look to the future but only 6 more months or a little less in the Senate. I will pass the baton to him. But each day that passes, he grows in strength of voice and stature in the Senate. I wish him well.

Mr. WEBB. I thank the Senator.

EXHIBIT 1

U.S. SENATE,
Washington, DC, May 16, 2008.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: Each day, as America contends with rising gasoline prices, we see and hear stories of how individual Americans are coping with this serious problem as they conduct their daily lives with their families and in their work environments.

They are finding ways to reduce their consumption of gasoline by driving less, altering daily routines, and even changing family vacation plans. These efforts bring hardships, but save dollars that are necessary to meet essential family needs. And while small in comparison to the overall problem of supply and demand of gasoline, these efforts do add up. I never dismiss the American "can do" spirit.

In one word, it is individual conservation. And in cases such as this, when individuals are leading the way, the government should join.

The purpose of this letter is to urge you to lead the vast federal government to likewise take initiatives to cut back—even in a small measure—its daily consumption of gasoline and other fuels.

I believe such a move would signal to Americans that their government is sharing the daily hardships occasioned by this turbulent, uncertain energy crisis.

Having worked in and with the Department of Defense for many decades, and recognizing that this government department is the largest user of petroleum products, I believe that the men and women of the armed services would pitch in to share the hardships on the home front and lead the effort. Their families are experiencing many of the same hardships as other families across America.

Recognizing that our nation must maintain its defense posture, especially in Iraq

and Afghanistan, where our forces are courageously carrying out their missions, the department's initiative to further conserve on fuels must be done without any harmful diminution in readiness or training.

By cutting back the number of flying or steaming hours in our military ships and planes, by even a percentage point or two, the armed forces could point with pride to their efforts in our nation's conservation movement.

With kind regards, I am

Sincerely,

JOHN WARNER.

By Mr. WYDEN:

S. 3148. A bill to modify the boundary of the Oregon Caves National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, there is a celebration today of the 40th anniversary of the Wild and Scenic Rivers Act. I want to acknowledge that important occasion by announcing two bills I am proposing today that will expand protection for some of Oregon's most special places and will lock in their preservation for generations to come.

The first bill is the Oregon Caves National Monument Boundary Adjustment Act, which will secure protection for a stunning piece of Oregon that includes natural treasures both above and below the ground at the Oregon Caves. The Oregon Caves has a unique geologic history and is particularly known as the longest marble cave open to the public west of the Continental Divide. With the bill I am introducing today, we will be creating the first subterranean wild and scenic river, a perennial stream at the monument known as the River Styx. This river is an underground portion of Cave Creek that flows through part of the cave and is one of the dynamic natural forces at work in the national monument.

The National Park Service has formally proposed a boundary modification for the Oregon Caves National Monument many times. They did it first in 1939. They did it again in 1949 and most recently in 2000. Today, I am happy to propose legislation to enact that boundary adjustment into law. I was born in 1949. It seems to me that after this effort has gone on literally for decades, it is time to secure this protection for generations to come. I want to make sure the new Wyden twins, William Peter and Ava Rose, are going to enjoy it with millions of Oregonians. That is why it is important that this action be taken and taken quickly.

Expanding this boundary will allow us to further protect the stunning majesty of both the underground and the above-ground treasures found at this national monument.

Established by a Presidential proclamation in 1909, the Oregon Caves National Monument is a 480-acre natural wonder located in the botanically-rich Siskiyou Mountains. It was originally set aside because of its unusual scientific interest and importance. Oregon Caves has a unique geologic history

and is particularly known as the longest marble cave open to the public west of the Continental Divide.

A perennial stream, the “River Styx”—an underground portion of Cave Creek—flows through part of the cave and is one of the dynamic natural forces at work in the national monument. The cave ecosystem provides habitat for numerous plants and animals, including some state-sensitive species such as Townsend’s big-eared bats and several cave-adapted species of arthropods, insects, spiders, etc., found only in the Oregon Caves and nowhere else. The caves possess a significant collection of Pleistocene-aged fossils, including jaguar and grizzly bear. Grizzly bones that were found in the cave in 1995 were estimated to be at least 50,000 years old, the oldest known from either North or South America.

Today, I am proposing legislation that will enhance the protection of the resources associated with Oregon Caves National Monument and increase public recreation opportunities by adding surrounding lands to the monument. My bill would expand the monument boundary by 4,084 acres to include the entire Cave Creek Watershed, management of which would be transferred from the United States Forest Service to the National Park Service. In addition, my legislation would designate at least 9.6 miles of rivers and tributaries as wild, scenic, or recreational, under the federal Wild and Scenic Rivers Act, including the first subterranean wild and scenic river, the River Styx. This bill would also provide authorization for retirement of existing grazing allotments.

When the Oregon Caves National Monument was established in 1909, the focus was on the unique subsurface resources, and the small rectangular boundary was thought to be adequate to protect the cave. Through the years, however, scientific research and technology have provided new information about the cave’s ecology, and the impacts from the surface environment and the related hydrological processes. The current 480-acre boundary is insufficient to adequately protect this cave system. The National Park Service has formally proposed a boundary modification numerous times, first in 1939, again in 1949, and most recently in 2000. Today, I am happy to propose legislation to enact that boundary adjustment into law.

The Oregon Caves National Monument makes a unique contribution to Southern Oregon’s economy and to the national heritage. The monument receives over 80,000 visitors annually, and is the second smallest unit of the National Park System. A larger monument boundary will help showcase more fully the recreational opportunities on the above-ground lands within the proposed monument boundary. In addition to the numerous subsurface resources, the monument’s above-ground lands in the Siskiyou Mountains possess a beauty and diversity

that is unique in America, and indeed the world. The extensive biological diversity stems from the unique geology of the region and the range of temperatures, fire regimes, and climates found in the area that create a region rich in endemic plants, fish-bearing streams, and the most varied conifer forest on the planet. The Oregon Caves National Monument’s approximately 500 plants, 5,000 animals, 2,000 fungi, and over a million bacteria per acre that make the spot have one of the highest concentrations of biological diversity anywhere.

Expanding the monument’s boundary will also preserve the caves’ resources by protecting the water that enters the cave. Water quality has been a major concern and the activities on the adjacent lands can affect the water quality and the caves’ precious resources. By granting the National Park Service the ability to safeguard these resources, and by providing for a voluntary donation of grazing permits, my legislation will be able to better protect these resources. The current grazing permittee, Phil Krouse’s family, has had the Big Grayback Grazing Allotment, 19,703 acres, since 1937. Over the decades, the number of allowed livestock has diminished, but the livestock still has an impact on the drinking water supply and the water quality of this natural gem. Mr. Krouse has publicly stated that he would look favorably upon retirement with private compensation for his allotment, such as my legislation will allow to proceed.

I want to express my thanks to all the volunteers and supporters in the local business and conservation community in Southern Oregon, to Phil Krouse for his commitment to Oregon’s natural resources, and to Craig Ackerman, the former Superintendent of the Oregon Caves National Monument. My colleagues in the House of Representatives, Representatives DEFAZIO, HOOLEY, BLUMENAUER and WU will be introducing companion legislation in the House today and I look forward to working with them to advance this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

S. 3148

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Oregon Caves National Monument Boundary Adjustment Act of 2008”.

SEC. 2. FINDINGS; PURPOSE.

- (a) FINDINGS.—Congress finds that—
 - (1) the Oregon Caves National Monument—
 - (A) is comprised of a rectangular area of approximately 480 acres located in the Siskiyou Mountains of southern Oregon; and
 - (B) was established by Presidential Proclamation Number 876 (36 Stat. 2497), dated July 12, 1909, to protect the caves, which were determined to have unusual scientific interest and importance;
 - (2) on June 10, 1933, in accordance with Executive Order 6166 (5 U.S.C. 901 note), the ad-

ministration of the Monument was transferred from the Secretary of Agriculture to the Secretary of the Interior; and

(3) the 1999 general management plan for the Monument contains a recommendation for adding surrounding land to the Monument—

- (A) to provide better protection for—
 - (i) cave ecology;
 - (ii) surface and subsurface hydrology;
 - (iii) public water supplies; and
 - (iv) trails and views;
 - (B) to establish a logical topographical boundary; and
 - (C) to enhance public outdoor recreation opportunities.

(b) PURPOSE.—The purpose of this Act is to add surrounding land to the Monument—

- (1) to enhance the protection of the resources associated with the Monument; and
- (2) to increase public recreation opportunities.

SEC. 3. DEFINITIONS.

In this Act:

(1) GRAZING ALLOTMENT.—The term “grazing allotment” means—

(A) the Big Grayback Grazing Allotment located in the Rogue River-Siskiyou National Forest; and

(B) the Billy Mountain Grazing Allotment located in a parcel of land that is—

- (i) managed by the Secretary (acting through the Director of the Bureau of Land Management); and
- (ii) located in close proximity to the land described in subparagraph (A).

(2) GRAZING LEASE; GRAZING PERMIT.—The terms “grazing lease” and “grazing permit” mean any document authorizing the use of a grazing allotment for the purpose of grazing livestock for commercial purposes.

(3) LESSEE; PERMITTEE.—The terms “lessee” and “permittee” mean a livestock operator that holds a valid existing grazing lease or permit for a grazing allotment.

(4) MAP.—The term “map” means the map entitled “Oregon Caves National Monument, Proposed Boundary” numbered 150/80,023, and dated June 2008.

(5) MONUMENT.—The term “Monument” means the Oregon Caves National Monument established by Presidential Proclamation Number 876 (36 Stat. 2497), dated July 12, 1909.

(6) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(7) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) the Secretary of Agriculture (acting through the Chief of the Forest Service), with respect to National Forest System land; and

(B) the Secretary of the Interior, with respect to land managed by the Bureau of Land Management (including land held for the benefit of an Indian tribe).

SEC. 4. BOUNDARY ADJUSTMENT; LAND TRANSFER.

(a) BOUNDARY ADJUSTMENT.—The boundary of the Monument is modified—

(1) to include approximately 4,070 acres of land identified on the map as the “Proposed Addition Lands”; and

(2) to exclude approximately 4 acres of land—

(A) located in the City of Cave Junction; and

(B) identified on the map as the “Cave Junction Unit”.

(b) LAND TRANSFER.—The Secretary of Agriculture shall—

(1) transfer the land described in subsection (a)(1) to the Secretary; and

(2) adjust the boundary of the Rogue River-Siskiyou National Forest to exclude the land transferred under paragraph (1).

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection

in the appropriate offices of the National Park Service.

SEC. 5. WILD AND SCENIC RIVER DESIGNATIONS.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

“(171) OREGON CAVES NATIONAL MONUMENT, OREGON.—The following segments in the State of Oregon, to be administered by the Secretary of the Interior:

“(A) CAVE CREEK.—The 2.6-mile segment of Cave Creek from the headwaters at the River Styx to the boundary of the Rogue River-Siskiyou National Forest as a recreational river.

“(B) LAKE CREEK.—The 3.6-mile segment of Lake Creek from the headwaters at Bigelow Lakes to the confluence with Cave Creek as a scenic river.

“(C) NO NAME CREEK.—The 0.6-mile segment of No Name Creek from the headwaters to the confluence with Cave Creek as a wild river.

“(D) PANTHER CREEK.—The 0.8-mile segment of Panther Creek from the headwaters to the confluence with Lake Creek as a scenic river.

“(E) RIVER STYX.—The segment of River Styx from the source to the confluence with Cave Creek as a recreational river.

“(F) UPPER CAVE CREEK.—The segment of Upper Cave Creek from the headwaters to the confluence with River Styx as a recreational river.”.

SEC. 6. ADMINISTRATION.

(a) IN GENERAL.—The Secretary, acting through the Director of the National Park Service, shall administer the Monument in accordance with—

(1) this Act;

(2) Presidential Proclamation Number 876 (36 Stat. 2497), dated July 12, 1909; and

(3) any law (including regulations) generally applicable to units of the National Park System, including the National Park Service Organic Act (16 U.S.C. 1 et seq.).

(b) ECOLOGICAL FOREST RESTORATION ACTIVITIES.—As soon as practicable after the date of enactment of this Act, the Secretary shall carry out forest restoration activities within the boundaries of the Monument—

(1) to reduce the risk of losing key ecosystem components;

(2) to restore the proper role of fire in the ecosystem; and

(3) to ensure that forest attributes (including species composition and structure) remain intact and functioning within a historical range.

SEC. 7. VOLUNTARY GRAZING LEASE OR PERMIT DONATION PROGRAM.

(a) DONATION OF LEASE OR PERMIT.—

(1) ACCEPTANCE BY SECRETARY CONCERNED.—The Secretary concerned shall accept any grazing lease or grazing permit that is donated by a lessee or permittee.

(2) TERMINATION.—The Secretary concerned shall terminate any grazing lease or grazing permit acquired under paragraph (1).

(3) NO NEW GRAZING LEASE OR PERMIT.—With respect to each grazing lease or grazing permit donated under paragraph (1), the Secretary concerned shall—

(A) not issue any new grazing lease or grazing permit within the grazing allotment covered by the grazing lease or grazing permit; and

(B) ensure a permanent end to livestock grazing on the grazing allotment covered by the grazing lease or grazing permit.

(b) EFFECT OF DONATION.—A lessee or permittee that donates a grazing lease or grazing permit (or a portion of a grazing lease or grazing permit) under this section shall be considered to have waived any claim to any range improvement on the associated grazing allotment or portion of the associated grazing allotment, as applicable.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

By Mr. WYDEN:

S. 3149. A bill to amend the Wild and Scenic Rivers Act to add certain segments to the Rogue River designation, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, the second piece of legislation I introduce today is the Lower Rogue Wild and Scenic Rivers Act. The Rogue River is a much beloved piece of Oregon's beautiful landscape. This bill will protect the waters that feed it.

Protecting the wild and scenic tributaries to the Rogue River is a critical step in protecting the backbone of one of Oregon's most important sport and commercial fisheries. In 2008, the American Rivers Organization named the Rogue and its tributaries as the second most endangered river in our country. I am hoping to change that today by introducing this legislation which would protect 143 miles of wild and scenic tributaries that feed the Rogue River with cold, clean water.

The Rogue River is one of our Nation's premier recreation destinations, famous for its free flowing waters which provide numerous rafting and fishing opportunities. The headwaters of this great river start in one of Oregon's other great gems—Crater Lake National Park—and ultimately empty into the Pacific Ocean near Gold Beach on the Southwest Oregon coast. Along that stretch, the Rogue River flows through one of the most spectacular canyons and diverse natural areas in the United States. The Rogue River is home to runs of coho, spring and fall chinook, winter and summer steelhead—and it has the special distinction of being one of only several rivers in the country with runs of green sturgeon.

The Rogue River received its first protections in the original Wild and Scenic Rivers Act, in 1968. A narrow stretch of land was protected along the river banks. Since that time, a great deal has been learned about the importance of protecting the tributaries that feed into the main stem of the Rogue. Protecting the wild and scenic tributaries to the Rogue River is a critical step in protecting the backbone of one of Oregon's most important sport and commercial fisheries.

In 2008, American Rivers named the Rogue and its tributaries as the second most endangered river in the U.S. I'm hoping to change that today by introducing legislation to protect this river and its tributaries. My proposal would protect 143 miles of wild and scenic tributaries that feed the Rogue River with cold clean water. The protected tributaries would include Galice Creek, Little Windy Creek, Jenny Creek, Long Gulch—and 36 other tributaries of the Rogue.

By protecting the tributaries that feed this mighty river, I will seek to

protect the Rogue River for future generations so they can enjoy the Rogue River as we do today. My colleagues in the House of Representatives, Representatives DEFAZIO, HOOLEY, BLUMENAUER and WU will be introducing companion legislation in the House today. I want to express my thanks to the conservation and business communities of Southern Oregon, who have worked diligently to protect these waters and enable the outdoor recreationists to use and enjoy these rivers. I look forward to working with my House colleagues and the bill's other supporters to advance our legislation to the President's desk.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3149

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Lower Rogue Wild and Scenic Rivers Act of 2008”.

SEC. 2. ROGUE RIVER ADDITIONS.

(a) IN GENERAL.—Section 3(a)(5) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(5)) is amended—

(1) by striking “The segment” and inserting the following:

“(A) IN GENERAL.—The segment”; and

(2) by adding at the end the following:

“(B) ADDITIONAL AREAS.—In addition to the segment described in subparagraph (A), the following segments of the Rogue River, Oregon, to be administered in the following classifications:

“(i) KELSEY CREEK.—

“(I) The 2.2-mile segment of Kelsey Creek from the headwaters of the Creek to the eastern section line of 32S 8W sec. 30 as a recreational river.

“(II) The 7.1-mile segment of Kelsey Creek from the eastern section line of 32S 8W sec. 30 to the confluence with the Rogue River as a wild river.

“(ii) EAST FORK KELSEY CREEK.—

“(I) The 0.1-mile segment of East Fork Kelsey Creek from the headwaters of the Creek to 0.1 miles downstream of road 32-7-19.3 as a scenic river.

“(II) The 4.7-mile segment of East Fork Kelsey Creek downstream from 0.1 miles downstream of road 32-7-19.3 to the confluence with Kelsey Creek as a wild river.

“(iii) WHISKY CREEK.—

“(I) The 0.6-mile segment of Whisky Creek from the confluence of the East Fork and West Fork to 0.1 miles downstream from road 33-8-23 as a recreational river.

“(II) The 1.9-mile segment of Whisky Creek from 0.1 miles downstream from road 33-8-23 to the confluence with the Rogue River as a wild river.

“(iv) EAST FORK WHISKY CREEK.—

“(I) The 0.1-mile segment of East Fork Whisky Creek from the headwaters of the Creek to 0.1 miles downstream of road 34-8-1 as a scenic river.

“(II) The 3.7-mile segment of East Fork Whisky Creek from 0.1 miles downstream of road 34-8-1 to the confluence with Whisky Creek as a wild river.

“(v) WEST FORK WHISKY CREEK.—The 4.8-mile segment of West Fork Whisky Creek from the headwaters of the Creek to the confluence of the Rogue River as a wild river.

“(vi) BIG WINDY CREEK.—

“(I) The 1.5-mile segment of Big Windy Creek from the headwaters of the Creek to 0.1 miles downstream from road 34-9-17.1 as a scenic river.

“(II) The 5.8-mile segment of Big Windy Creek from 0.1 miles downstream from road 34-9-17.1 to the confluence with the Rogue River as a wild river.

“(vii) EAST FORK BIG WINDY CREEK.—

“(I) The 0.2-mile segment of East Fork Big Windy Creek from the headwaters of the Creek to 0.1 miles downstream from road 34-8-36 as a scenic river.

“(II) The 3.7-mile segment of East Fork Big Windy Creek from 0.1 miles downstream from road 34-8-36 to the confluence with Big Windy Creek as a wild river.

“(viii) LITTLE WINDY CREEK.—

“(I) The 1.1-mile segment of Little Windy Creek from the headwaters of the Creek to 0.1 miles downstream of road 34-8-36 as a scenic river.

“(II) The 1.9-mile segment of Little Windy Creek from 0.1 miles downstream of road 34-8-36 to the confluence with the Rogue River as a wild river.

“(ix) HOWARD CREEK.—

“(I) The 0.3-mile segment of Howard Creek from the headwaters of the Creek to 0.1 miles downstream of road 34-9-34 as a scenic river.

“(II) The 6.9-mile segment of Howard Creek from 0.1 miles downstream of road 34-9-34 to the confluence with the Rogue River as a wild river.

“(x) MULE CREEK.—

“(I) The 0.2-mile segment of Mule Creek from the headwaters of the Creek to 0.1 miles downstream from road 32-9-15.1 as a scenic river.

“(II) The 11.2-mile segment of Mule Creek from 0.1 miles downstream from road 32-9-15.1 to the confluence with the Rogue River as a wild river.

“(xi) GRAVE CREEK.—

“(I) The 1.6-mile segment of Grave Creek from the confluence of Wolf Creek downstream as a scenic river.

“(II) The 8.2-mile segment of Grave Creek from 1.6 miles downstream of the confluence of Wolf Creek to the confluence with the Rogue River as a recreational river.

“(xii) ANNA CREEK.—The 3.5-mile segment of Anna Creek from the headwaters of Anna Creek to the confluence with Howard Creek as a wild river.

“(xiii) MISSOURI CREEK.—

“(I) The 2.6-mile segment of Missouri Creek from the headwaters of the Creek to the north section line of 33S 10W sec. 25 as a scenic river.

“(II) The 2.2-mile segment of Missouri Creek from the north section line of 33S 10W sec. 25 to the confluence with the Rogue River as a wild river.

“(xiv) JENNY CREEK.—

“(I) The 0.3-mile segment of Jenny Creek from the headwaters of the Creek to 0.1 miles downstream from road 34-9-7 as a scenic river.

“(II) The 4.6-mile segment of Jenny Creek from 0.1 miles downstream from road 34-9-7 to the confluence with the Rogue River as a wild river.

“(xv) RUM CREEK.—

“(I) The 2-mile segment of Rum Creek from the headwaters of the Creek to 0.1 miles downstream from road 34-8-34 as a scenic river.

“(II) The 2.4-mile segment of Rum Creek from 0.1 miles downstream from road 34-8-34 to the confluence with the Rogue River as a wild river.

“(xvi) EAST FORK RUM CREEK.—

“(I) The 0.5-mile segment of East Rum Creek from the headwaters to 0.1 miles downstream of road 34-8-10.1 as a scenic river.

“(II) The 1.5-mile segment of East Rum Creek from 0.1 miles downstream of road 34-8-10.1 to the confluence with Rum Creek as a wild river.

“(xvii) WILDCAT CREEK.—The 1.7-mile segment of Wildcat Creek from the headwaters of the Creek downstream to the confluence with the Rogue River as a wild river.

“(xviii) MONTGOMERY CREEK.—The 1.8-mile segment of Montgomery Creek from the headwaters of the Creek downstream to the confluence with the Rogue River as a wild river.

“(xix) QUARTZ CREEK.—

“(I) The 0.5-mile segment of Quartz Creek from its headwaters to 0.1 miles downstream from road 35-9-1.2 as a recreational river.

“(II) The 2.8-mile segment from 0.1 miles downstream from road 35-9-1.2 to the confluence of the North Fork Galice Creek as a scenic river.

“(xx) HEWITT CREEK.—

“(I) The 1.3-mile segment of Hewitt Creek from the headwaters of the Creek to 0.1 miles downstream of road 33-9-21 as a scenic river.

“(II) The 1.3-mile segment of Hewitt Creek from 0.1 miles downstream of road 33-9-21 to the confluence with the Rogue River as a wild river.

“(xxi) BUNKER CREEK.—The 6.6-mile segment of Bunker Creek from the headwaters of the Creek to the confluence with the Rogue River as a wild river.

“(xxii) DULOG CREEK.—

“(I) The 0.8-mile segment of Dulog Creek from the headwaters of the Creek to 0.1 miles downstream of road 34-8-36 as a scenic river.

“(II) The 1.0-mile segment of Dulog Creek from 0.1 miles downstream of road 34-8-36 to the confluence with the Rogue River as a wild river.

“(xxiii) GALICE CREEK.—The 2.2-mile segment of Galice Creek from the confluence with the North and South Forks of Galice Creek to the confluence with the Rogue River as a recreational river.

“(xxiv) NORTH FORK GALICE CREEK.—

“(I) The 1.2-mile segment of North Fork Galice Creek from the headwaters of the Creek to 0.1 miles upstream of road 34-8-36 as a scenic river.

“(II) The 4.5-mile segment of North Fork Galice Creek from 0.1 miles upstream of road 34-8-36 to the confluence with Galice Creek as a recreational river.

“(xxv) QUAIL CREEK.—

“(I) The 0.7-mile segment of Quail Creek from the headwaters of the Creek to 0.1 miles downstream from road 32-9-14.2 as a scenic river.

“(II) The 1.8-mile segment of Quail Creek from 0.1 miles downstream from road 32-9-14.2 to the confluence with the Rogue River as a wild river.

“(xxvi) MEADOW CREEK.—The 4.1-mile segment of Meadow Creek from the headwaters of the Creek to the confluence with the Rogue River as a wild river.

“(xxvii) RUSSIAN CREEK.—

“(I) The 0.4-mile segment of Russian Creek from the headwaters of the Creek to 0.1 miles downstream from road 33-8-21 as a scenic river.

“(II) The 2.2-mile segment of Russian Creek 0.1 miles downstream from road 33-8-21 to the confluence with the Rogue River as a wild river.

“(xxviii) ALDER CREEK.—The 1.2-mile segment of Alder Creek from the headwaters of the Creek to the confluence with the Rogue River as a wild river.

“(xxix) BOOZE CREEK.—The 1.5-mile segment of Booze Creek from the headwaters of the Creek to the confluence with the Rogue River as a wild river.

“(xxx) BRONCO CREEK.—The 1.8-mile segment of Bronco Creek from the headwaters

of the Creek to the confluence with the Rogue River as a wild river.

“(xxxi) CENTENNIAL GULCH CREEK.—The 1.9-mile segment of Centennial Gulch Creek from the headwaters of the Creek to the confluence with the Rogue River as a recreational river.

“(xxxii) COPSEY CREEK.—The 1.5-mile segment of Copsey Creek from the headwaters of the Creek to the confluence with the Rogue River as a wild river.

“(xxxiii) CORRAL CREEK.—The 0.5-mile segment of Corral Creek from the headwaters of the Creek to the confluence with the Rogue River as a wild river.

“(xxxiv) COWLEY CREEK.—The 0.9-mile segment of Cowley Creek from the headwaters of the Creek to the confluence with the Rogue River as a wild river.

“(xxxv) DITCH CREEK.—

“(I) The 0.5-mile segment of Ditch Creek from the headwaters of the Creek 0.1 miles downstream from road 33-5-9.2 as a scenic river.

“(II) The 1.9-mile segment of Ditch Creek from 0.1 miles downstream from road 33-5-9.2 to the confluence with the Rogue River as a wild river.

“(xxxvi) FRANCIS CREEK.—The 0.9-mile segment of Francis Creek from the headwaters of the Creek to the confluence with the Rogue River as a wild river.

“(xxxvii) LONG GULCH.—

“(I) The 1.4-mile segment of Long Gulch from the headwaters to 0.1 miles downstream from road 34-9-21 as a scenic river.

“(II) The 1.1-mile segment of Long Gulch from 0.1 miles downstream of road 34-9-21 to the confluence with the Rogue River as a wild river.

“(xxxviii) BAILEY CREEK.—

“(I) The 1.0-mile segment of Bailey Creek from the headwaters of the Creek to 0.1 miles downstream from road 34-8-22.2 as a scenic river.

“(II) The 2.1-mile segment of Bailey Creek from 0.1 miles downstream from road 34-8-22.2 to the confluence of the Rogue River as a wild river.

“(xxxix) SHADY CREEK.—The 0.7-mile segment of Shady Creek from the headwaters of the Creek to the confluence with the Rogue River as a wild river.

“(xl) SLIDE CREEK.—

“(I) The 0.5-mile segment of Slide Creek from the headwaters of the Creek to 0.1 miles downstream from road 33-9-6 as a scenic river.

“(II) The 0.7-mile segment of Slide Creek from 0.1 miles downstream of road 33-9-6 to the confluence with the Rogue River as a wild river.”.

(b) ADMINISTRATIVE PROVISIONS.—

(1) IN GENERAL.—Any segment of the Rogue River designated by subparagraph (B) of section 3(a)(5) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(5)) (as added by subsection (a)(2)) shall—

(A) include an average of 640 acres per mile measured from the ordinary high water mark on both sides of the River; and

(B) be managed as part of the Rogue Wild and Scenic River designated by subparagraph (A) of section 3(a)(5) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(5)) (as added by subsection (a)(1)).

(2) WITHDRAWAL.—Subject to valid rights, the Federal land within the boundaries of the river segments designated by subparagraph (B) of section 3(a)(5) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(5)) (as added by subsection (a)(2)) is withdrawn from all forms of—

(A) entry, appropriation, or disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

(3) WINDPOWER FACILITIES PROHIBITED.—The siting of windpower facilities within the lateral boundaries of a segment of the Rogue Wild and Scenic River designated by subparagraph (B) of section 3(a)(5) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(5)) (as added by subsection (a)(2)) is prohibited.

By Mr. BROWN (for himself and Mr. BROWNBACK):

S. 3151. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to priority review vouchers; to the Committee on Health, Education, Labor, and Pensions.

Mr. BROWNBACK. Mr. President, I rise to engage my distinguished colleague from Ohio in a colloquy.

Mr. BROWN. I yield to the Senator.

Mr. BROWNBACK: I want to express my support for our provision included in the Food and Drug Administration Amendments Act of 2007, FDAAA, signed into law this Congress, to award an FDA priority review voucher to encourage the development of treatments for tropical diseases. According to the World Health Organization, roughly one billion people, or nearly one of every six people worldwide, are affected by at least one tropical disease. However, less than 1% of the roughly 1,400 drugs registered between 1975 and 1999 treated such diseases. These diseases are often referred to as the “neglected diseases” because of the lack of modern treatments available to address them and their disproportionate impact on very low income populations.

Since the purpose of the priority review voucher is to encourage research and development for diseases for which there is currently little or no market, our intent is that the priority review voucher creates a strong incentive for investment in the often financially risky business of drug and biologic procurement for neglected diseases. Basic economics dictate that the voucher will create the strongest incentive by being freely transferable among private businesses, with each voucher having the capacity for transfer multiple times, without restriction. This interpretation is the intent of Congress. Any imposition of restriction by the Food and Drug Administration on the number of times and manner of transfer of the voucher will have the effect of negating its value, which is contrary to Congressional intent. I yield to my distinguished colleague to elaborate on this point.

Mr. BROWN. I concur with my colleague on the importance of creating a strong incentive for development of treatments for neglected, tropical diseases through a freely transferable priority review voucher. Accordingly, I rise today to introduce, along with my colleague from the State of Kansas, a bill that would codify the authors’ intent of two parts of the priority review voucher law. First, any priority review voucher awarded under the provision is

freely transferable without restriction on the number of times it can be transferred. Second, the priority review voucher can be redeemed only for a human drug application that is not already pending with the Food and Drug Administration. I encourage my colleagues in Congress to join us in ensuring that this legislation moves quickly through the legislative process.

Mr. BROWNBACK. I thank my friend, the Senator from Ohio, for introducing this important measure and for his remarks.

By Mr. NELSON of Florida (for himself and Mr. MARTINEZ):

S. 3152. A bill to provide for a comprehensive study by the National Research Council of the National Academies to assess the water management, needs, and conservation of the Apalachicola-Chattahoochee-Flint River System; to the Committee on Environment and Public Works.

Mr. NELSON of Florida. Mr. President, I rise today to introduce legislation to help preserve a vital ecosystem and protect a way of life for many citizens in my home State of Florida.

I am introducing a bill that would require the U.S. Army Corps of the Engineers to commission the National Research Council of the National Academies to conduct a comprehensive study of water management and conservation of the Apalachicola-Chattahoochee-Flint, ACF, River System. My colleague in the Florida Congressional Delegation, Congressman ALLEN BOYD, is offering similar legislation today in the U.S. House of Representatives.

At the confluence of the Flint and Chattahoochee Rivers, the Apalachicola River begins its winding journey to the Gulf of Mexico. Nearly 112 miles later, the river flows into Apalachicola Bay, bringing fresh water and vital nutrients to the famed oyster beds and fisheries of the bay.

I visited the Apalachicola last month, rode down the river, and met with many who are concerned about its fate. When people think of Florida, they may envision palm trees or white sand. That is not what the Apalachicola has to offer, but it is unique and spectacular in its own right. The water is dark from tannic acid leached from trees in the river’s swamps. At nearly 140 feet tall, majestic bluffs line the banks of the northern section of the river and form the largest exposed geological outcropping in Florida. In this reach of the river, the Alum Bluff is a significant historic site. Andrew Jackson paused here in 1818, and Confederate troops fortified the area with earthworks and cannon during the Civil War.

As you traverse into the southern reaches of the Apalachicola and get closer to the bay, the vegetation changes and the land is flat. The brackish area of the Apalachicola, where the river’s freshwater mixes with saltwater from the Gulf of Mexico, is home to one

of the Nation’s most productive oyster-harvesting areas.

I work a great deal on another ecosystem that is much more familiar in Florida and across the Nation, the Everglades. I can tell you that comparing an impaired ecosystem like the River of Grass to the Apalachicola demonstrates a powerful lesson: we must manage our natural resources wisely, or face serious consequences.

Chronic drought conditions in the southeastern U.S. have led to dramatic decreases in the quantity of water entering the ACF River System. Both these natural fluctuations in water supply and human-related uses have led to unprecedented reductions in freshwater inflow entering Apalachicola Bay. The water and nutrients delivered to the bay are critical to the health and productivity of the estuary and adjacent coastal waters of the Gulf. This area supports significant recreational and commercial fisheries, including 90 percent of Florida’s oyster fishery, as well as shrimp, grouper, and other high-value species.

We cannot sit back and watch as the Apalachicola River and Bay decline as a result of this historically low freshwater inflow. Under the current way of doing business, the ecosystems of the river and bay are suffering, as are the citizens who rely upon them for their livelihood. We need a solution that takes into account the environmental sensitivities and real water needs of all citizens in Florida, Alabama, and Georgia who live and work within the ACF River System. This study is a first step toward reaching that goal.

As an independent and trusted source of scientific analysis and advice, the National Research Council is uniquely qualified to undertake such a comprehensive study. In the legislation, I ask that the NRC examine a number of critical issues. These include examining the state of the science on the Apalachicola River and Bay, including the impact of reduced freshwater flow on the area’s ecology, and assessing water availability, supply options, demand-management alternatives, and socioeconomic factors that influence uses in the ACF River System. There is also a tremendous need for the NRC to provide all concerned with water management in the ACF River System with recommendations on how to determine water limits that adequately recognize and balance the needs of all users.

We have responsibility to be good stewards of our environment. This responsibility requires us to ensure that our management decisions are based on the best, peer-reviewed science that is available. The NRC study commissioned in the legislation that I am offering today would go a long way in helping us to fulfill that responsibility.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3152

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. STUDY ON THE APALACHICOLA-CHATTAHOOCHEE-FLINT RIVER SYSTEM.

(a) NATIONAL RESEARCH COUNCIL STUDY.—Not later than 60 days after the date of enactment of this Act, the Secretary of the Army shall enter into an agreement with the National Research Council of the National Academies under which the Council shall conduct a comprehensive study of the water management, needs, and conservation of the Apalachicola-Chattahoochee-Flint River System (in this Act referred to as the “ACF River System”).

(b) MATTERS TO BE ADDRESSED.—The study under subsection (a) shall include the following:

(1) A summary of the existing body of scientific knowledge on—

(A) the ecology, hydrology, geomorphology, and biogeochemistry of the Apalachicola River and the greater ACF River System;

(B) the ecosystem services provided by the Apalachicola River;

(C) the impact of variation in freshwater flow on the ecology of the river and downstream coastal ecosystems, including the Apalachicola Bay ecosystem; and

(D) how to restore the natural hydraulic function of the ACF River System, including restoration of floodplains and wetlands.

(2) An assessment of models that serve as the basis for the master manuals of the ACF River System.

(3) An assessment of water availability, supply options, demand-management alternatives, and socioeconomic factors that influence uses in the ACF River System, including water quality, navigation, hydropower, recreation, in-stream ecology, and flood control.

(4) An assessment of policies, regulations, and other factors that affect Federal water project operations.

(5) Recommendations for an approach to determine water limits that recognize the needs of all water users along the ACF River System, including adequate in-stream flow requirements.

(6) Recommendations for any additional measures to address the long-term watershed management needs of the ACF River System as the National Research Council considers appropriate.

(c) REPORT.—Not later than 2 years after entering into an agreement under subsection (a), the National Research Council shall submit to the Secretary of the Army and Congress a report containing the findings of the study under subsection (a) and such other recommendations as the Council considers appropriate.

(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this Act, there is authorized to be appropriated \$1,200,000.

By Mr. LEAHY (for himself, Mr. SPECTER and Mr. KOHL):

S. 3155. A bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, I am pleased to join Senator SPECTER and Senator KOHL in introducing important legislation designed to protect our communities and particularly our most precious asset, our children, not only by keeping them safe and out of trou-

ble, but also by helping to ensure they have the opportunity to become productive adult members of society. Senator SPECTER and Senator KOHL have been leaders in this area of the law for decades, and I am honored to work with them once again on such an important initiative. I thank Senator KOHL for sharing with me the responsibilities of chairing the Committee's hearing on this bill in December, and for working so hard to draft this legislation.

The Juvenile Justice and Delinquency Prevention Act, JJDPA, sets out Federal policy and standards for the administration of juvenile justice in the states. It authorizes key Federal resources for states to improve their juvenile justice systems and for communities to develop programs to prevent young people from getting into trouble. With the reauthorization of this important legislation, we commit to these important goals but also push the law forward in key ways to better serve our communities and our children.

The basic goals of the Juvenile Justice and Delinquency Prevention Act remain the same: keeping our communities safe by reducing juvenile crime, promoting programs and policies that keep children out of the criminal justice system, and encouraging states to implement policies designed to steer those children who do enter the juvenile justice system back onto a track to become contributing members of society.

The reauthorization of the JJDPA that we introduce today augments these goals in several ways. First, this bill encourages states to move away from keeping young people in adult jails. The Center for Disease Control and Prevention concluded late last year that children who are held in adult prisons commit more crimes, and more serious crimes, when they are released, than children with similar histories who are kept in juvenile facilities. After years of pressure to try more and more young people as adults and to send them to adult prisons, it is time to seriously consider the strong evidence that this policy is not working.

We must do this with ample consideration for the fiscal constraints on states, particularly in these lean budget times, and with ample deference to the traditional role of states in setting their own criminal justice policy. We have done so here. But we also must work to ensure that unless strong and considered reasons dictate otherwise, the presumption must be that children will be kept with other children, particularly before they have been convicted of any wrongdoing.

As a former prosecutor, I know well the importance of holding criminals accountable for their crimes with strong sentences. But when we are talking about children, we must also think about how best to help them become responsible, contributing mem-

bers of society as adults. That keeps us all safer.

I am disturbed that children from minority communities continue to be overrepresented in the juvenile justice system. This bill encourages states to take new steps to identify the reasons for this serious and continuing problem and to work together with the Federal government and with local communities to find ways to start solving it.

I am also concerned that too many runaway and homeless young people are locked up for so-called status offenses, like truancy, without having committed any crime. In a Judiciary Committee hearing earlier this year on the reauthorization of the Runaway and Homeless Youth Act, I was amazed by the plight of this vulnerable population, even in the wealthiest country in the world, and inspired by their ability to rise above that adversity. The Runaway and Homeless Youth Act seeks to provide necessary services to vulnerable young people.

Complementing that effort, this reauthorization of the JJDPA takes strong and significant steps to move states away from detaining children from at-risk populations for status offenses. This bill requires rigorous new procedures before a state can detain a status offender, and strictly limits the time they may be detained. This provision was drafted with the limited resources of states in mind, deference to judicial discretion, and the need to keep children safe when no other appropriate placement is available, but it aims to move states decisively in the direction of ending the practice of detaining status offenders, as some states already have.

As I have worked with experts on this legislation, it has become abundantly clear that mental health and drug treatment are fundamental to making real progress toward keeping juvenile offenders from recidivism. Mental disorders are two to three times more common among children in the juvenile justice system than in the general population, and fully eighty percent of young people in the juvenile justice system have been found by some studies to have a connection to substance abuse. Often these young people face coexisting mental health and drug problems. This bill takes new and important steps to prioritize and fund mental health and drug treatment.

The bill tackles several other key facets of juvenile justice reform. It emphasizes effective training of personnel who work with young people in the juvenile justice system, both to encourage the use of approaches that have been proven effective and to eliminate cruel and unnecessary treatment of juveniles. It also creates incentives for the use of programs that research and testing have shown to work best.

Finally, the bill refocuses attention on prevention programs intended to keep children from ever entering the criminal justice system. I was struck when Chief Richard Miranda of Tucson,

Arizona, said at our December hearing on this bill that we cannot arrest our way out of the problem. I heard the same sentiment from Chief Anthony Bossi and others at the Judiciary Committee's field hearing on young people and violent crime in Rutland, Vermont, earlier this year. When seasoned police officers from Rutland, Vermont, to Tucson, Arizona, tell me that prevention programs are pivotal, I pay attention.

Just as this administration and recent Republican Congresses have gutted programs that support state and local law enforcement, so they have consistently cut and narrowed effective prevention programs, creating a dangerous vacuum. We need to reverse this trend and help our communities implement programs proven to help kids turn their lives around.

I have long supported a strong Federal commitment to preventing youth violence, and I have worked hard on past reauthorizations of this legislation, as have Senators SPECTER and KOHL and others on the Judiciary Committee. We have learned the importance of balancing strong law enforcement with effective prevention programs. This reauthorization pushes forward new ways to help children move out of the criminal justice system, return to school, and become responsible, hard-working members of our communities.

I thank the many prominent Vermont representatives of law enforcement, the juvenile justice system, and prevention-oriented non-profits who have spoken to me in support of reauthorizing this important Act and who have helped inform my understanding of these issues. They include Ken Schatz of the Burlington City Attorney's Office, Vermont Juvenile Justice Specialist Theresa Lay-Sleeper, and Chief Steve McQueen of the Winooski Police Department. I know that many of my colleagues on the Committee have heard from passionate leaders on this issue in their own states.

These are difficult issues. We all care deeply about the well-being of our children and our communities, but we will not always agree completely on the best way to address the problems that keep too many of our young people ensnared in the justice system. After months of research and discussions, Senator KOHL, Senator SPECTER, and I believe we have found a way forward toward creating a system that will work more effectively to protect our young people. I hope all Senators will support this important legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text was ordered to be printed in the RECORD, as follows:

S. 3155

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Juvenile Justice and Delinquency Prevention Reauthorization Act of 2008".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—FINDINGS AND DECLARATION OF PURPOSE

Sec. 101. Findings.

Sec. 102. Purposes.

Sec. 103. Definitions.

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Sec. 201. Concentration of Federal efforts.

Sec. 202. Coordinating Council on Juvenile Justice and Delinquency Prevention.

Sec. 203. Annual report.

Sec. 204. Allocation of funds.

Sec. 205. State plans.

Sec. 206. Authority to make grants.

Sec. 207. Research and evaluation; statistical analyses; information dissemination.

Sec. 208. Training and technical assistance.

Sec. 209. Incentive grants for State and local programs.

Sec. 210. Authorization of appropriations.

Sec. 211. Administrative authority.

Sec. 212. Technical and conforming amendments.

TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

Sec. 301. Definitions.

Sec. 302. Grants for delinquency prevention programs.

Sec. 303. Authorization of appropriations.

Sec. 304. Technical and conforming amendment.

TITLE I—FINDINGS AND DECLARATION OF PURPOSE

SEC. 101. FINDINGS.

Section 101 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601) is amended to read as follows:

"SEC. 101. FINDINGS.

"Congress finds the following:

"(1) A growing body of adolescent development research supports the use of developmentally appropriate services and sanctions for youth in the juvenile justice system and those at risk for delinquent behavior to help prevent youth crime and to successfully intervene with youth who have already entered the system.

"(2) Research has shown that targeted investments to redirect offending juveniles onto a different path are cost effective and can help reduce juvenile recidivism and adult crime.

"(3) Minorities are disproportionately represented in the juvenile justice system.

"(4) Between 1990 and 2004, the number of youth in adult jails increased by 208 percent.

"(5) Every day in the United States, an average of 7,500 youth are incarcerated in adult jails.

"(6) Youth who have been previously tried as adults are, on average, 34 percent more likely to commit crimes than youth retained in the juvenile justice system.

"(7) Research has shown that every dollar spent on evidence based programs can yield up to \$13 in cost savings.

"(8) Each child prevented from engaging in repeat criminal offenses can save the community \$1,700,000 to \$3,400,000.

"(9) Youth are 19 times more likely to commit suicide in jail than youth in the general population and 36 times more likely to commit suicide in an adult jail than in a juvenile detention facility.

"(10) Seventy percent of youth in detention are held for nonviolent charges, and more than 2% are charged with property offenses, public order offenses, technical probation violations, or status offenses, such as truancy, running away, or breaking curfew.

"(11) The prevalence of mental disorders among youth in juvenile justice systems is 2 to 3 times higher than among youth in the general population.

"(12) Eighty percent of juveniles in juvenile justice systems have a nexus to substance abuse.

"(13) The proportion of girls entering the justice system has increased steadily over the past several decades, rising from 20 percent in 1980 to 29 percent in 2003."

SEC. 102. PURPOSES.

Section 102 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5602) is amended—

(1) in paragraph (2), by striking "and" at the end;

(2) in paragraph (3), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(4) to support a continuum of programs (including delinquency prevention, intervention, mental health and substance abuse treatment, and aftercare) to address the needs of at-risk youth and youth who come into contact with the justice system."

SEC. 103. DEFINITIONS.

Section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603) is amended—

(1) by amending paragraph (18) to read as follows:

"(18) the term 'Indian tribe' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b);";

(2) in paragraph (22), by striking "or confine adults" and all that follows and inserting "or confine adult inmates";

(3) by amending paragraph (26) to read as follows:

"(26) the term 'adult inmate'—

"(A) means an individual who—

"(i) has reached the age of full criminal responsibility under applicable State law; and

"(ii) has been arrested and is in custody for or awaiting trial on a criminal charge, or is convicted of a criminal charge offense; and

"(B) does not include an individual who—

"(i) at the time of the time of the offense, was younger than the maximum age at which a youth can be held in a juvenile facility under applicable State law; and

"(ii) was committed to the care and custody of a juvenile correctional agency by a court of competent jurisdiction or by operation of applicable State law";

(4) in paragraph (28), by striking "and" at the end;

(5) in paragraph (29), by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

"(30) the term 'core requirements' means the requirements described in paragraphs (11), (12), (13), and (15) of section 223(a);

"(31) the term 'chemical agent' means a spray used to temporarily incapacitate a person, including oleoresin capsicum spray, tear gas, and 2-chlorobenzalmononitrile gas;

"(32) the term 'isolation'—

"(A) means any instance in which a youth is confined alone for more than 15 minutes in a room or cell; and

"(B) does not include confinement in the room or cell in which the youth usually sleeps, protective confinement (for injured youths or youths whose safety is threatened), separation based on an approved treatment program, routine confinement at the time of the youth's admission, confinement

that is requested by the youth, or the separation of the youth from a group in a non-locked setting for the purpose of calming;

“(33) the term ‘restraint’ has the meaning given that term in section 591 of the Public Health Service Act (42 U.S.C. 2901i);

“(34) the term ‘evidence based’ means a program or practice that is demonstrated to be effective and that—

“(A) is based on a clearly articulated and empirically supported theory;

“(B) has measurable outcomes, including a detailed description of what outcomes were produced in a particular population; and

“(C) has been scientifically tested, optimally through randomized, controlled studies;

“(35) the term ‘promising’ means a program or practice that is demonstrated to be effective based on positive outcomes from 1 or more objective evaluations, or based on practice knowledge, as documented in writing to the Administrator; and

“(36) the term ‘dangerous practice’ means an act, procedure, or program that creates an unreasonable risk of physical injury, pain, or psychological harm to a juvenile subjected to the act, procedure, or program.”

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SEC. 201. CONCENTRATION OF FEDERAL EFFORTS.

Section 204(a)(2)(B)(i) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614(a)(2)(B)(i)) is amended by striking “240 days after the date of enactment of this paragraph” and inserting “July 2, 2009”.

SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION.

Section 206 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “the Administrator of the Substance Abuse and Mental Health Services Administration, the Secretary of Defense, the Secretary of Agriculture,” after “the Secretary of Health and Human Services,”; and

(ii) by striking “Commissioner of Immigration and Naturalization” and inserting “Assistant Secretary for Immigration and Customs Enforcement”; and

(B) in paragraph (2)(A), by inserting “(including at least 1 representative from the mental health fields)” after “field of juvenile justice”; and

(2) in subsection (c)—

(A) in paragraph (1), by striking “paragraphs (12)(A), (13), and (14) of section 223(a) of this title” and inserting “the core requirements”; and

(B) in paragraph (2)(B)—

(i) by striking “180 days after the date of the enactment of this paragraph” and inserting “May 3, 2009”; and

(ii) by striking “Committee on Education and the Workforce” and inserting “Committee on Education and Labor”.

SEC. 203. ANNUAL REPORT.

Section 207 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5617) is amended—

(1) in the matter preceding paragraph (1), by striking “a fiscal year” and inserting “each fiscal year”; and

(2) in paragraph (1)—

(A) in subparagraph (B), by inserting “, ethnicity,” after “race”; and

(B) in subparagraph (E), by striking “and” at the end;

(C) in subparagraph (F)—

(i) by inserting “and other” before “disabilities,”; and

(ii) by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(G) a summary of data from 1 month of the applicable fiscal year of the use of restraints and isolation upon juveniles held in the custody of secure detention and correctional facilities operated by a State or unit of local government; and

“(H) the number of juveniles released from custody and the type of living arrangement to which each such juvenile was released; and

“(I) the number of status offense cases petitioned to court, number of status offenders held in secure detention, the findings used to justify the use of secure detention, and the average period of time a status offender was held in secure detention”; and

(3) by adding at the end the following:

“(5) A description of the criteria used to determine what programs qualify as evidence based and promising programs under this title and title V and a comprehensive list of those programs the Administrator has determined meet such criteria.

“(6) A description of funding provided to Indian tribes under this Act, including direct Federal grants and funding provided to Indian tribes through a State or unit of local government.”.

SEC. 204. ALLOCATION OF FUNDS.

Section 222 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5632) is amended—

(1) in subsection (a)(1), by striking “age eighteen.” and inserting “18 years of age, based on the most recent census data to monitor any significant changes in the relative population of people under 18 years of age occurring in the States.”;

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(3) by inserting after subsection (b) the following:

“(c)(1) If any amount allocated under subsection (a) is withheld from a State due to noncompliance with the core requirements, the funds shall be reallocated for an improvement grant designed to assist the State in achieving compliance with the core requirements.

“(2) The Administrator shall condition a grant described in paragraph (1) on—

“(A) the State, with the approval of the Administrator, developing specific action steps designed to restore compliance with the core requirements; and

“(B) submitting to the Administrator semiannually a report on progress toward implementing the specific action steps developed under subparagraph (A).

“(3) The Administrator shall provide appropriate and effective technical assistance directly or through an agreement with a contractor to assist a State receiving a grant described in paragraph (1) in achieving compliance with the core requirements.”;

(4) in subsection (d), as so redesignated, by striking “efficient administration, including monitoring, evaluation, and one full-time staff position” and inserting “effective and efficient administration, including the designation of at least 1 person to coordinate efforts to achieve and sustain compliance with the core requirements”; and

(5) in subsection (e), as so redesignated, by striking “5 per centum” and inserting “not more than 5 percent”.

SEC. 205. STATE PLANS.

Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “Not later than 30 days after the date on which a plan or amended plan

submitted under this subsection is finalized, a State shall make the plan or amended plan publicly available by posting the plan or amended plan on a publicly available website.” after “compliance with State plan requirements.”;

(B) in paragraph (3)—

(i) in subparagraph (A)(ii)—

(I) in subclause (II), by striking “counsel for children and youth” and inserting “publicly supported court-appointed legal counsel for children and youth charged in delinquency matters”; and

(II) in subclause (III), by striking “mental health, education, special education” and inserting “children’s mental health, education, child and adolescent substance abuse, special education, services for youth with disabilities”; and

(III) in subclause (V), by striking “delinquents or potential delinquents” and inserting “delinquent youth or youth at risk of delinquency, including volunteers who work with youth of color”; and

(IV) in subclause (VII), by striking “and” at the end;

(V) by redesignating subclause (VIII) as subclause (XI);

(VI) by inserting after subclause (VII) the following:

“(VIII) the executive director or the designee of the executive director of a public or nonprofit entity that is located in the State and receiving a grant under part A of title III;

“(IX) persons with expertise and competence in preventing and addressing mental health or substance abuse problems in juvenile delinquents and those at-risk of delinquency;

“(X) representatives of victim or witness advocacy groups; and”; and

(VII) in subclause (XI), as so redesignated, by striking “disabilities” and inserting “and other disabilities, truancy reduction or school failure”; and

(ii) in subparagraph (D)(ii), by striking “requirements of paragraphs (11), (12), and (13)” and inserting “core requirements”; and

(iii) in subparagraph (E)(i), by adding “and” at the end;

(C) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking “section 222(d)” and inserting “section 222(e)”; and

(ii) in subparagraph (C), by striking “Indian tribes” and all that follows through “applicable to the detention and confinement of juveniles” and inserting “Indian tribes that agree to attempt to comply with the core requirements applicable to the detention and confinement of juveniles”; and

(D) in paragraph (7)(B)—

(i) by striking clause (i) and inserting the following:

“(i) a plan for ensuring that the chief executive officer of the State, State legislature, and all appropriate public agencies in the State with responsibility for provision of services to children, youth and families are informed of the requirements of the State plan and compliance with the core requirements;”; and

(ii) in clause (iii), by striking “and” at the end; and

(iii) by striking clause (iv) and inserting the following:

“(iv) a plan to provide alternatives to detention, including diversion to home-based or community-based services or treatment for those youth in need of mental health, substance abuse, or co-occurring disorder services at the time such juveniles first come into contact with the juvenile justice system; and

“(v) a plan to reduce the number of children housed in secure detention and corrections facilities who are awaiting placement in residential treatment programs;

“(vi) a plan to engage family members in the design and delivery of juvenile delinquency prevention and treatment services, particularly post-placement; and

“(vii) a plan to use community-based services to address the needs of at-risk youth or youth who have come into contact with the juvenile justice system;”;

(E) in paragraph (8), by striking “existing” and inserting “evidence based and promising”;

(F) in paragraph (9)—

(i) in the matter preceding subparagraph (A), by striking “section 222(d)” and inserting “section 222(e)”;

(ii) in subparagraph (A)(i), by inserting “status offenders and other” before “youth who need”;

(iii) in subparagraph (B)(i)—

(I) by striking “parents and other family members” and inserting “status offenders, other youth, and the parents and other family members of such offenders and youth”; and

(II) by striking “be retained” and inserting “remain”;

(iv) by redesignating subparagraphs (G) through (S) as subparagraphs (J) through (V), respectively;

(v) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively;

(vi) by inserting after subparagraph (D) the following:

“(E) providing training and technical assistance to, and consultation with, juvenile justice and child welfare agencies of States and units of local government to develop coordinated plans for early intervention and treatment of youth who have a history of abuse and juveniles who have prior involvement with the juvenile justice system;”;

(vii) in subparagraph (G), as so redesignated, by striking “expanding” and inserting “programs to expand”;

(viii) by inserting after subparagraph (G), as so redesignated, the following:

“(H) programs to improve the recruitment, selection, training, and retention of professional personnel in the fields of medicine, law enforcement, judiciary, juvenile justice, social work and child protection, education, and other relevant fields who are engaged in, or intend to work in, the field of prevention, identification, and treatment of delinquency;

“(I) expanding access to publicly supported, court-appointed legal counsel and enhancing capacity for the competent representation of every child;”;

(ix) in subparagraph (O), as so redesignated—

(I) in clause (i), by striking “restraints” and inserting “alternatives”; and

(II) in clause (ii), by striking “by the provision”; and

(x) in subparagraph (V), as so redesignated, by striking the period at the end and inserting a semicolon;

(G) in paragraph (11)—

(i) in subparagraph (A), by striking “and” at the end;

(ii) in subparagraph (B), by adding “and” at the end; and

(iii) by adding at the end the following:

“(C) encourage the use of community-based alternatives to secure detention, including programs of public and nonprofit entities receiving a grant under part A of title III;”;

(H) by striking paragraph (22);

(I) by redesignating paragraphs (23) through (28) as paragraphs (24) through (29), respectively;

(J) by redesignating paragraphs (14) through (21) as paragraphs (16) through (23), respectively;

(K) by inserting after paragraph (13) the following:

“(14) require that—

“(A) not later than 3 years after the date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2008, unless a court finds, after a hearing and in writing, that it is in the interest of justice, juveniles awaiting trial or other legal process who are treated as adults for purposes of prosecution in criminal court and housed in a secure facility—

“(i) shall not have contact with adult inmates; and

“(ii) may not be held in any jail or lockup for adults;

“(B) in determining under subparagraph (A) whether it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults, or have contact with adult inmates, a court shall consider—

“(i) the age of the juvenile;

“(ii) the physical and mental maturity of the juvenile;

“(iii) the present mental state of the juvenile, including whether the juvenile presents an imminent risk of harm to the juvenile;

“(iv) the nature and circumstances of the alleged offense;

“(v) the juvenile’s history of prior delinquent acts;

“(vi) the relative ability of the available adult and juvenile detention facilities to meet the specific needs of the juvenile and to protect the public;

“(vii) whether placement in a juvenile facility will better serve the long-term interests of the juvenile and be more likely to prevent recidivism;

“(viii) the availability of programs designed to treat the juvenile’s behavioral problems; and

“(ix) any other relevant factor; and

“(C) if a court determines under subparagraph (A) that it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults, or have contact with adult inmates—

“(i) the court shall hold a hearing not less than frequently than once every 30 days to review whether it is still in the interest of justice to permit the juvenile to be so held or have such contact; and

“(ii) the juvenile shall not be held in any jail or lockup for adults, or permitted to have contact with adult inmates, for more than 180 days, unless the court, in writing, determines there is good cause for an extension or the juvenile expressly waives this limitation;

“(15) implement policy, practice, and system improvement strategies at the State, territorial, local, and tribal levels, as applicable, to identify and reduce racial and ethnic disparities among youth who come into contact with the juvenile justice system, without establishing or requiring numerical standards or quotas, by—

“(A) establishing coordinating bodies, composed of juvenile justice stakeholders at the State, local, or tribal levels, to oversee and monitor efforts by States, units of local government, and Indian tribes to reduce racial and ethnic disparities;

“(B) identifying and analyzing key decision points in State, local, or tribal juvenile justice systems to determine which points create racial and ethnic disparities among youth who come into contact with the juvenile justice system;

“(C) developing and implementing data collection and analysis systems to identify where racial and ethnic disparities exist in the juvenile justice system and to track and analyze such disparities;

“(D) developing and implementing a work plan that includes measurable objectives for policy, practice, or other system changes, based on the needs identified in the data collection and analysis under subparagraphs (B) and (C); and

“(E) publicly reporting, on an annual basis, the efforts made in accordance with subparagraphs (B), (C), and (D);”

(L) in paragraph (16), as so redesignated—

(i) by striking “adequate system” and inserting “effective system”;

(ii) by striking “requirements of paragraph (11),” and all that follows through “monitoring to the Administrator” and inserting “the core requirements are met, and for annual reporting to the Administrator of such plan, including the results of such monitoring and all related enforcement and educational activities”; and

(iii) by striking “, in the opinion of the Administrator;”;

(M) in paragraph (17), as so redesignated, by inserting “ethnicity,” after “race;”;

(N) in paragraph (24), as so redesignated—

(i) in subparagraph (B), by striking “and” at the end;

(ii) in subparagraph (C)—

(I) in clause (i), by striking “and” at the end;

(II) in clause (ii), by adding “and” at the end; and

(III) by adding at the end the following:

“(iii) if such court determines the juvenile should be placed in a secure detention facility or correctional facility for violating such order, the court shall issue a written order that—

“(I) identifies the valid court order that has been violated;

“(II) specifies the factual basis for determining that there is reasonable cause to believe that the juvenile has violated such order;

“(III) includes findings of fact to support a determination that there is no appropriate less restrictive alternative available to placing the juvenile in such a facility, with due consideration to the best interest of the juvenile; and

“(IV) specifies the length of time, not to exceed 7 days, that the juvenile may remain in a secure detention facility or correctional facility, and includes a plan for the juvenile’s release from such facility; and”;

(iii) by adding at the end the following:

“(D) there are procedures in place to ensure that any juvenile held in a secure detention facility or correctional facility pursuant to a court order described in this paragraph does not remain in custody longer than 7 days or the length of time authorized by the court, whichever is shorter;”;

(O) in paragraph (26), as so redesignated, by striking “section 222(d)” and inserting “section 222(e)”;

(P) in paragraph (27), as so redesignated—

(i) by inserting “and in accordance with confidentiality concerns,” after “maximum extent practicable;”;

(ii) by striking the semicolon at the end and inserting the following: “, so as to provide for—

“(A) a compilation of data reflecting information on juveniles entering the juvenile justice system with a prior reported history as victims of child abuse or neglect through arrest, court intake, probation and parole, juvenile detention, and corrections; and

“(B) a plan to use the data described in subparagraph (A) to provide necessary services for the treatment of victims of child abuse and neglect who have entered, or are at risk of entering, the juvenile justice system;”;

(Q) in paragraph (28), as so redesignated—

(i) by striking “establish policies” and inserting “establish protocols, policies, procedures,”; and

(ii) by striking “and” at the end;

(R) in paragraph (29), as so redesignated, by striking the period at the end and inserting a semicolon; and

(S) by adding at the end the following:

“(30) provide for the coordinated use of funds provided under this Act with other Federal and State funds directed at juvenile delinquency prevention and intervention programs;

“(31) develop policies and procedures, and provide training for facility staff, on evidence based and promising techniques for effective behavior management that are designed to eliminate the use of dangerous practices, unreasonable restraints, and isolation;

“(32) provide mental health and substance abuse screening, assessment, referral, and treatment for juveniles in the juvenile justice system;

“(33) provide procedural safeguards to adjudicated juveniles, including—

“(A) a written case plan for each juvenile, based on an assessment of the needs of the juvenile and developed and updated in consultation with the juvenile, the family of the juvenile, and, if appropriate, counsel for the juvenile, that—

“(i) describes the pre-release and post-release programs and reentry services that will be provided to the juvenile;

“(ii) describes the living arrangement to which the juvenile is to be discharged; and

“(iii) establishes a plan for the enrollment of the juvenile in post-release health care, behavioral health care, educational, vocational, training, family support, public assistance, and legal services programs, as appropriate;

“(B) as appropriate, a hearing that—

“(i) shall take place in a family or juvenile court or another court (including a tribal court) of competent jurisdiction, or by an administrative body appointed or approved by the court, not earlier than 30 days before the date on which the juvenile is scheduled to be released, and at which the juvenile would be represented by counsel; and

“(ii) shall determine the discharge plan for the juvenile, including a determination of whether a safe, appropriate, and permanent living arrangement has been secured for the juvenile and whether enrollment in health care, behavioral health care, educational, vocational, training, family support, public assistance and legal services, as appropriate, has been arranged for the juvenile; and

“(C) policies to ensure that discharge planning and procedures—

“(i) are accomplished in a timely fashion prior to the release from custody of each adjudicated juvenile; and

“(ii) do not delay the release from custody of the juvenile; and

“(34) provide a description of the use by the State of funds for reentry and aftercare services for juveniles released from the juvenile justice system.”;

(2) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking “applicable requirements of paragraphs (11), (12), (13), and (22) of subsection (a)” and inserting “core requirements”; and

(ii) by striking “2001, then” and inserting “2008”;

(B) in paragraph (1), by striking “, and” at the end and inserting a semicolon;

(C) in paragraph (2)(B)(ii)—

(i) by inserting “, administrative,” after “appropriate executive”; and

(ii) by striking the period at the end and inserting “, as specified in section 222(c); and”;

(D) by adding at the end the following:

“(3) the State shall submit to the Administrator a report detailing the reasons for non-compliance with the core requirements, including the plan of the State to regain full compliance, and the State shall make publicly available such report, not later than 30 days after the date on which the Administrator approves the report, by posting the report on a publicly available website.”;

(3) in subsection (d)—

(A) by striking “section 222(d)” and inserting “section 222(e)”;

(B) by striking “described in paragraphs (11), (12), (13) and (22) of subsection (a)” and inserting “described in the core requirements”; and

(C) by striking “the requirements under paragraphs (11), (12), (13) and (22) of subsection (a)” and inserting “the core requirements”; and

(4) by striking subsection (f) and inserting the following:

“(f) COMPLIANCE DETERMINATION.—Not later than 60 days after the date of receipt of information indicating that a State may be out of compliance with any of the core requirements, the Administrator shall—

“(1) determine whether the State is in compliance with the core requirements;

“(2) issue a public report describing the determination described in paragraph (1), including a summary of the information on which the determination is based and the actions to be taken by the Administrator (including a description of any reduction imposed under subsection (c)); and

“(3) make the report described in paragraph (2) available on a publicly available website.

“(g) TECHNICAL ASSISTANCE.—

“(1) ORGANIZATION OF STATE ADVISORY GROUP MEMBER REPRESENTATIVES.—The Administrator shall provide technical and financial assistance to an agency, institution, or organization to assist in carrying out the activities described in paragraph (3). The functions and activities of an agency, institution, or organization under this subsection shall not be subject to the Federal Advisory Committee Act.

“(2) COMPOSITION.—To be eligible to receive assistance under this subsection, an agency, institution, or organization shall—

“(A) be governed by individuals who—

“(i) have been appointed by a chief executive of a State to serve as a member of a State advisory group established under subsection (a)(3); and

“(ii) are elected to serve as a governing officer of such an agency, institution, or organization by a majority of the member Chairs (or the designees of the member Chairs) of all State advisory groups established under subsection (a)(3);

“(B) include member representatives—

“(i) from a majority of the State advisory groups established under subsection (a)(3); and

“(ii) who are representative of regionally and demographically diverse State jurisdictions; and

“(C) annually seek advice from the Chairs (or the designees of the member Chairs) of each State advisory group established under subsection (a)(3) to implement the advisory functions specified in subparagraphs (D) and (E) of paragraph (3) of this subsection.

“(3) ACTIVITIES.—To be eligible to receive assistance under this subsection, an agency, institution, or organization shall agree to—

“(A) conduct an annual conference of the member representatives of the State advisory groups established under subsection (a)(3) for purposes relating to the activities of such State advisory groups;

“(B) disseminate information, data, standards, advanced techniques, and program models;

“(C) review Federal policies regarding juvenile justice and delinquency prevention;

“(D) advise the Administrator regarding particular functions or aspects of the work of the Office; and

“(E) advise the President and Congress regarding State perspectives on the operation of the Office and Federal legislation relating to juvenile justice and delinquency prevention.”.

SEC. 206. AUTHORITY TO MAKE GRANTS.

Section 241(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5651(a)) is amended—

(1) in paragraph (1), by inserting “status offenders,” before “juvenile offenders, and juveniles”; and

(2) in paragraph (5), by striking “juvenile offenders and juveniles” and inserting “status offenders, juvenile offenders, and juveniles”;

(3) in paragraph (10), by inserting “, including juveniles with disabilities” before the semicolon;

(4) in paragraph (17), by inserting “truancy prevention and reduction,” after “mentoring,”;

(5) in paragraph (24), by striking “and” at the end;

(6) by redesignating paragraph (25) as paragraph (26); and

(7) by inserting after paragraph (24) the following:

“(25) projects that support the establishment of partnerships between a State and a university, institution of higher education, or research center designed to improve the recruitment, selection, training, and retention of professional personnel in the fields of medicine, law enforcement, judiciary, juvenile justice, social work and child protection, education, and other relevant fields who are engaged in, or intend to work in, the field of prevention, identification, and treatment of delinquency; and”.

SEC. 207. RESEARCH AND EVALUATION; STATISTICAL ANALYSES; INFORMATION DISSEMINATION.

(a) IN GENERAL.—Section 251 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5661) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter proceeding subparagraph (A), by striking “may” and inserting “shall”;

(ii) in subparagraph (A), by striking “plan and identify” and inserting “annually provide a written and publicly available plan to identify”; and

(iii) in subparagraph (B)—

(I) by amending clause (iii) to read as follows:

“(iii) successful efforts to prevent status offenders and first-time minor offenders from subsequent involvement with the criminal justice system.”;

(II) by amending clause (vii) to read as follows:

“(vii) the prevalence and duration of behavioral health needs (including mental health, substance abuse, and co-occurring disorders) among juveniles pre-placement and post-placement when held in the custody of secure detention and corrections facilities, including an examination of the effects of confinement.”;

(III) by redesignating clauses (ix), (x), and (xi) as clauses (xi), (xii), and (xiii), respectively; and

(IV) by inserting after clause (viii) the following:

“(ix) training efforts and reforms that have produced reductions in or elimination of the use of dangerous practices;

“(x) methods to improve the recruitment, selection, training, and retention of professional personnel in the fields of medicine, law enforcement, judiciary, juvenile justice, social work and child protection, education, and other relevant fields who are engaged in, or intend to work in, the field of prevention, identification, and treatment of delinquency;” and

(B) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by inserting “and not later than 1 year after the date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2008” after “date of enactment of this paragraph”;

(ii) in subparagraph (F), by striking “and” at the end;

(iii) in subparagraph (G), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

“(H) a description of the best practices in discharge planning; and

“(I) an assessment of living arrangements for juveniles who cannot return to the homes of the juveniles.”;

(2) in subsection (b), in the matter preceding paragraph (a), by striking “may” and inserting “shall”; and

(3) by adding at the end the following:

“(f) NATIONAL RECIDIVISM MEASURE.—The Administrator shall—

“(1) establish a uniform method of data collection and technology that States shall use to evaluate data on juvenile recidivism on an annual basis;

“(2) establish a common national juvenile recidivism measurement system; and

“(3) make cumulative juvenile recidivism data that is collected from States available to the public.”.

(b) STUDIES.—

(1) IN GENERAL.—The Administrator shall conduct a study and publish a report on the differences between male and female juvenile offenders that includes analyses of—

(A) risk factors specific to the development of delinquent behavior in girls;

(B) the mental health needs of delinquent girls and girls at risk of delinquency;

(C) delinquency prevention and intervention programs that are effective among girls; and

(D) how prevention and intervention programs for delinquent girls and girls at-risk of delinquency can be made more effective.

(2) ASSESSMENT OF TREATING JUVENILES AS ADULTS.—The Administrator shall—

(A) not later than 3 years after the date of enactment of this Act, assess the effectiveness of the practice of treating juveniles as adults for purposes of prosecution in criminal court; and

(B) not later than 42 months after the date of enactment of this Act, submit to Congress and the President, and make publicly available, a report on the findings and conclusions of the assessment under subparagraph (A) and any recommended changes in law identified as a result of the assessment under subparagraph (A).

(3) OUTCOME STUDY OF FORMER JUVENILE OFFENDERS.—The Administrator shall conduct a study of adjudicated juveniles and publish a report on the outcomes for juveniles who have reintegrated into the community, which shall include information on the outcomes relating to family reunification, housing, education, employment, health care, behavioral health care, and repeat offending.

(4) DEFINITION OF ADMINISTRATOR.—In this subsection, the term “Administrator” means the head of the Office of Juvenile Justice and Delinquency Prevention.

SEC. 208. TRAINING AND TECHNICAL ASSISTANCE.

Section 252 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5662) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “may”;

(B) in paragraph (1), by inserting “shall” before “develop and carry out projects”; and

(C) in paragraph (2), by inserting “may” before “make grants to and contracts with”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “may”;

(B) in paragraph (1)—

(i) by inserting “shall” before “develop and implement projects”; and

(ii) by striking “and” at the end;

(C) in paragraph (2)—

(i) by inserting “may” before “make grants to and contracts with”; and

(ii) by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) shall provide technical assistance to States and units of local government on achieving compliance with the amendments made by the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2008; and

“(4) shall provide technical assistance to States in support of efforts to establish partnerships between the State and a university, institution of higher education, or research center designed to improve the recruitment, selection, training, and retention of professional personnel in the fields of medicine, law enforcement, judiciary, juvenile justice, social work and child protection, education, and other relevant fields who are engaged in, or intend to work in, the field of prevention, identification, and treatment of delinquency.”; and

(3) by adding at the end the following:

“(d) TECHNICAL ASSISTANCE TO STATES REGARDING LEGAL REPRESENTATION OF CHILDREN.—The Administrator shall develop and issue standards of practice for attorneys representing children, and ensure that the standards are adapted for use in States.

“(e) TRAINING AND TECHNICAL ASSISTANCE FOR LOCAL AND STATE JUVENILE DETENTION AND CORRECTIONS PERSONNEL.—The Administrator shall coordinate training and technical assistance programs with juvenile detention and corrections personnel of States and units of local government to promote evidence based and promising methods for improving conditions of juvenile confinement, including those that are designed to minimize the use of dangerous practices, unreasonable restraints, and isolation.

“(f) TRAINING AND TECHNICAL ASSISTANCE TO SUPPORT MENTAL HEALTH OR SUBSTANCE ABUSE TREATMENT INCLUDING HOME-BASED OR COMMUNITY-BASED CARE.—The Administrator shall provide training and technical assistance, in conjunction with the appropriate public agencies, to individuals involved in making decisions regarding the disposition of cases for youth who enter the juvenile justice system, including—

“(1) juvenile justice intake personnel;

“(2) probation officers;

“(3) juvenile court judges and court services personnel;

“(4) prosecutors and court-appointed counsel; and

“(5) family members of juveniles and family advocates.”.

SEC. 209. INCENTIVE GRANTS FOR STATE AND LOCAL PROGRAMS.

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended—

(1) by redesignating part F as part G; and

(2) by inserting after part E the following:

“PART F—INCENTIVE GRANTS FOR STATE AND LOCAL PROGRAMS

“SEC. 271. INCENTIVE GRANTS.

“(a) INCENTIVE GRANT FUNDS.—The Administrator may make incentive grants to a State, unit of local government, or combination of States and local governments to assist a State, unit of local government, or combination thereof in carrying out an activity identified in subsection (b)(1).

“(b) USE OF FUNDS.—

“(1) IN GENERAL.—An incentive grant made by the Administrator under this section may be used to—

“(A) increase the use of evidence based or promising prevention and intervention programs;

“(B) improve the recruitment, selection, training, and retention of professional personnel (including in the fields of medicine, law enforcement, judiciary, juvenile justice, social work, and child prevention) who are engaged in, or intend to work in, the field of prevention, intervention, and treatment of juveniles to reduce delinquency;

“(C) establish a partnership between juvenile justice agencies of a State or unit of local government and mental health authorities of State or unit of local government to establish and implement programs to ensure there are adequate mental health and substance abuse screening, assessment, referral, treatment, and after-care services for juveniles who come into contact with the justice system;

“(D) provide training, in conjunction with the public or private agency that provides mental health services, to individuals involved in making decisions involving youth who enter the juvenile justice system (including intake personnel, law enforcement, prosecutors, juvenile court judges, public defenders, mental health and substance abuse service providers and administrators, probation officers, and parents) that focuses on—

“(i) the availability of screening and assessment tools and the effective use of such tools;

“(ii) the purpose, benefits, and need to increase availability of mental health or substance abuse treatment programs (including home-based and community-based programs) available to juveniles within the jurisdiction of the recipient;

“(iii) the availability of public and private services available to juveniles to pay for mental health or substance abuse treatment programs; or

“(iv) the appropriate use of effective home-based and community-based alternatives to juvenile justice or mental health system institutional placement; and

“(E) provide services to juveniles with mental health or substance abuse disorders who are at risk of coming into contact with the justice system.

“(2) COORDINATION AND ADMINISTRATION.—A State or unit of local government receiving a grant under this section shall ensure that—

“(A) the use of the grant under this section is developed as part of the State plan required under section 223(a); and

“(B) not more than 5 percent of the amount received under this section is used for administration of the grant under this section.

“(c) APPLICATION.—

“(1) IN GENERAL.—A State or unit of local government desiring a grant under this section shall submit an application at such time, in such manner, and containing such information as the Administrator may prescribe.

“(2) CONTENTS.—In accordance with guidelines that shall be established by the Administrator, each application for incentive grant funding under this section shall—

“(A) describe any activity or program the funding would be used for and how the activity or program is designed to carry out 1 or more of the activities described in subsection (b);

“(B) if any of the funds provided under the grant would be used for evidence based or promising prevention or intervention programs, include a detailed description of the studies, findings, or practice knowledge that support the assertion that such programs qualify as evidence based or promising; and

“(C) for any program for which funds provided under the grant would be used that is not evidence based or promising, include a detailed description of any studies, findings, or practice knowledge which support the effectiveness of the program.”.

SEC. 210. AUTHORIZATION OF APPROPRIATIONS.

Section 299 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking “PARTS C AND E” and inserting “PARTS C, E, AND F”;

(B) in paragraph (1), by striking “this title” and all that follows and inserting the following: “this title—

“(A) \$196,700,000 for fiscal year 2009.;

“(B) \$245,900,000 for fiscal year 2010;

“(C) \$295,100,000 for fiscal year 2011;

“(D) \$344,300,000 for fiscal year 2012; and

“(E) \$393,500,000 for fiscal year 2013.”; and

(C) in paragraph (2), in the matter preceding subparagraph (A), by striking “parts C and E” and inserting “parts C, E, and F”;

(2) in subsection (b), by striking “fiscal years 2003, 2004, 2005, 2006, and 2007” and inserting “fiscal years 2009, 2010, 2011, 2012, and 2013”;

(3) in subsection (c), by striking “fiscal years 2003, 2004, 2005, 2006, and 2007” and inserting “fiscal years 2009, 2010, 2011, 2012, and 2013”;

(4) by redesignating subsection (d) as subsection (e); and

(5) by inserting after subsection (c) the following:

“(d) **AUTHORIZATION OF APPROPRIATIONS FOR PART F.**—There are authorized to be appropriated to carry out part F, and authorized to remain available until expended, \$60,000,000 for each of fiscal years 2009, 2010, 2011, 2012, and 2013. Of the sums that are appropriated for a fiscal year to carry out part F, not less than 50 percent shall be used to fund programs that are carrying out an activity described in subparagraph (C), (D), or (E) of section 271(b)(1).”.

SEC. 211. ADMINISTRATIVE AUTHORITY.

Section 299A(e) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5672(e)) is amended by striking “requirements described in paragraphs (11), (12), and (13) of section 223(a)” and inserting “core requirements”.

SEC. 212. TECHNICAL AND CONFORMING AMENDMENTS.

The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended—

(1) in section 204(b)(6), by striking “section 223(a)(15)” and inserting “section 223(a)(16)”;

(2) in section 246(a)(2)(D), by striking “section 222(c)” and inserting “section 222(d)”;

and

(3) in section 299D(b), of by striking “section 222(c)” and inserting “section 222(d)”.

TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

SEC. 301. DEFINITIONS.

Section 502 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (42 U.S.C. 5781) is amended—

(1) in the section heading, by striking “**DEFINITION**” and inserting “**DEFINITIONS**”; and

(2) by striking “this title, the term” and inserting the following: “this title—

“(1) the term ‘mentoring’ means matching 1 adult with 1 or more youths (not to exceed 4 youths) for the purpose of providing guidance, support, and encouragement aimed at developing the character of the youths, where the adult and youths meet regularly for not less than 4 hours each month for not less than a 9-month period; and

“(2) the term”.

SEC. 302. GRANTS FOR DELINQUENCY PREVENTION PROGRAMS.

Section 504(a) of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (42 U.S.C. 5783(a)) is amended—

(1) in paragraph (7), by striking “and” at the end;

(2) in paragraph (8), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(9) mentoring programs.”.

SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

Section 505 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (42 U.S.C. 5784) is amended to read as follows:

“**SEC. 505. AUTHORIZATION OF APPROPRIATIONS.**
“There are authorized to be appropriated to carry out this title—

“(1) \$272,200,000 for fiscal year 2009;

“(2) \$322,800,000 for fiscal year 2010;

“(3) \$373,400,000 for fiscal year 2011;

“(4) \$424,000,000 for fiscal year 2012; and

“(5) \$474,600,000 for fiscal year 2013.”.

SEC. 304. TECHNICAL AND CONFORMING AMENDMENTS.

The Juvenile Justice and Delinquency Prevention Act of 1974 is amended by striking title V, as added by the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93-415; 88 Stat. 1133) (relating to miscellaneous and conforming amendments).

Mr. KOHL. Mr. President, I rise today with Senator LEAHY and Senator SPECTER to introduce the Juvenile Justice and Delinquency Prevention Reauthorization Act. The Juvenile Justice and Delinquency Prevention Act, JJDP, has played a key role in successful state and local efforts to reduce juvenile crime and get kids back on track after they have had run-ins with the law. This legislation will reauthorize and make significant improvements to these important programs.

A successful strategy to combat juvenile crime consists of a large dose of prevention and intervention programs. Juvenile justice programs have proven time and time again that they help prevent crime, strengthen communities, and rehabilitate juvenile offenders. The JJDP has always had a dual focus: prevention and rehabilitation.

The JJDP has successfully focused on intervening in a positive manner to work with those teens that have fallen through the cracks and have had a few scrapes with the law. Many of the juveniles who come into contact with the justice system are not violent offenders or gang members. Rather, they are young people who have made mistakes and deserve a second chance to succeed and lead healthy lives. In fact, seventy percent of youth in detention are held for nonviolent charges. Research has shown that youth who come into con-

tact with the justice system can be rehabilitated, and we have an obligation to support successful programs that do just that.

While putting young people on the right path after they have had run-ins with the law is tremendously important, we would all prefer to keep them from getting into trouble in the first place. Title V, of course, is the only federal program that is dedicated exclusively to juvenile crime prevention. Evidence-based prevention programs are proven to reduce crime. Because each child prevented from engaging in repeat criminal offenses can save the community \$1.7 to \$3.4 million, reducing crime actually saves money. Research has shown that every dollar spent on effective, evidence based programs can yield up to \$13 in cost savings.

Since the last reauthorization in 2002, research and experience have revealed that there is still room for improvement. That is why we are proposing a number of changes to the Act.

Under Title II, the existing JJDP requires states to comply with certain core requirements that are designed to protect and assist in the rehabilitation of juvenile offenders. This legislation makes improvements to four of the core requirements—removal of juveniles from adult jails, preventing contact between juvenile offenders and adult inmates, the deinstitutionalization of status offenders, and disproportionate minority contact, DMC.

The legislation would amend the jail removal and sight and sound requirements to ensure that juveniles charged as adults are not placed in an adult facility or allowed to have contact with adult inmates unless a court finds that it is in the interest of justice to do so. Research has shown that juveniles who spend time in adult jails are more likely to reoffend. Therefore, it is critical that we get judges more involved in this process to ensure that it is in everyone's best interest, but particularly the juvenile's best interest, to place that young person in an adult facility.

This measure would also place important limitations on the valid court order exception to the deinstitutionalization of status offenders. Under the current JJDP, courts can order status offenders to be placed in secure detention with minimal process and no limit on duration. We seek to change both of these. This bill would place a 7 day limit on the amount of time a status offender can spend in a secure facility, and ensure that juvenile status offenders have significant procedural protections.

In addition, the legislation will push states to take concrete steps to identify the causes of disproportionate minority contact and take meaningful steps to achieve concrete reductions.

The bill also focuses a great deal of attention on improving cooperation between the states and the Federal Government in the area of juvenile justice.

It directs the administrator of the Office of Juvenile Justice to conduct additional research. It seeks to strengthen the amount of training and technical assistance provided by the Federal Government, particularly workforce training for those people who work directly with juveniles at every stage of the juvenile justice system.

The Juvenile Justice and Delinquency Prevention Reauthorization Act would improve treatment of juveniles in two important respects. It seeks to end the use of improper isolation and dangerous practices, and it encourages the use of best practices and alternatives to detention.

This measure also places a greater focus on mental health and substance abuse treatment for juveniles who come into contact, or are at risk of coming into contact, with the juvenile justice system. Research has shown that the prevalence of mental disorders among youth in juvenile justice systems is two to three times higher than among youth who have not had run-ins with the law. Taking meaningful steps to provide adequate mental health screening and treatment for these juveniles is a critical part of getting them on the right track, and needs to be a part of Federal, State and local efforts to rehabilitate juvenile offenders.

Finally, and possibly most importantly, the key to success is adequate support. Funding for juvenile justice programs has been on a downward spiral for the last seven years. Just five years ago, these programs received approximately \$556 million, with more than \$94 million for the Title V Local Delinquency Prevention Program and nearly \$250 million for the Juvenile Accountability Block Grant program. This year, the Administration requested just \$250 million for all juvenile justice programs, which represents more than a 50 percent cut from Fiscal Year 2002. Local communities do a great job of leveraging this funding to accomplish great things, but we cannot say with a straight face that this level is sufficient.

Therefore, we are seeking to authorize increased funding for the Juvenile Justice and Delinquency Prevention Act. The bill will authorize more than \$272 million for Title V and nearly \$200 million for Title II in Fiscal Year 2009. Then, funding for each title will increase by \$50 million each subsequent fiscal year. These programs are in desperate need of adequate funding. It is money well spent, and this increase in authorized funding will demonstrate Congressional support for these critical programs.

In addition to increased funding for traditional JJDP programs, we have created a new incentive grant program under the Act. This program authorizes another \$60 million per year to help local communities to supplement efforts under the Act, and in some cases go above and beyond what is required of them. Specifically, this funding will support evidence based and promising

prevention and intervention programs. It will enhance workforce training, which will improve the treatment and rehabilitation of juveniles who come into contact with the system. Lastly, a significant portion of this funding will be dedicated to mental health screening and treatment of juveniles who have come into contact, or are at risk of coming into contact, with the justice system.

The Juvenile Justice and Delinquency Prevention Act is an incredibly successful program. The fact that it is cost efficient is important. But the most important thing is that it is effective. It is effective in reaching the kids it is designed to help. The evidence based prevention programs it funds are able to touch the lives of at-risk youth and steer them away from a life of crime. And for those who have unfortunately already had run-ins with law enforcement, its intervention and treatment programs have successfully helped countless kids get their lives back on the right track and become productive members of society.

It is beyond dispute that these proven programs improve and strengthen young people, as well as their families and their communities. For that reason, we urge our colleagues to support this important measure to reauthorize and improve these programs.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 91—HONORING ARMY SPECIALIST MONICA L. BROWN, OF LAKE JACKSON, TEXAS, EXTENDING GRATITUDE TO HER AND HER FAMILY, AND PLEDGING CONTINUING SUPPORT FOR THE MEN AND WOMEN OF THE UNITED STATES ARMED FORCES

Mrs. HUTCHISON (for herself and Mr. CORNYN) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 91

Whereas Monica Brown, a medic serving in the 782nd Brigade Support Battalion, 4th Brigade Combat Team, was deployed to Afghanistan in support of Operation Enduring Freedom;

Whereas members of the United States Armed Forces were attacked by a roadside bomb in the eastern Paktia province in Afghanistan on April 25, 2007;

Whereas Specialist Monica L. Brown, at age 19, ran through insurgent gunfire to save the lives of fellow wounded soldiers injured after the roadside bomb tore through their convoy of humvees;

Whereas Monica Brown is 1 of 25,109 women currently serving in the Armed Forces in Afghanistan and Iraq, and 1 of 350,000 women serving in the United States Army;

Whereas Monica Brown is the first woman in Afghanistan and only the second female member of the Armed Forces since World War II to receive the Silver Star, the Nation's third-highest medal for valor; and

Whereas the thoughts and prayers of Congress and the people of the United States remain with the families of all the members of

the Armed Forces who are fighting to ensure the Nation's freedom and safety: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) honors Monica L. Brown, a Specialist in the United States Army, who risked her life to save the lives of her fellow wounded soldiers while serving in the Global War on Terror in Afghanistan, and recognizes her for her bravery and heroism;

(2) extends its deepest gratitude to Monica L. Brown and her family in Lake Jackson, Texas; and

(3) pledges its continued support for the men and women of the United States Armed Forces.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled. The hearing will be held on Wednesday, June 25, 2008, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the challenges to meeting future energy needs and to developing the technologies for meeting increased global energy demand in the context of the need to address global climate change.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to Rosemarie_Calabro@energy.senate.gov.

For further information, please contact Alicia Jackson at (202) 224-3607 or Rosemarie Calabro at (202) 224-5039.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, June 18, 2008, at 12:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, June 18, 2008, at 2 p.m., in room SD366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to

meet during the session of the Senate on Wednesday, June 18, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building. .

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, June 18, 2008, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, June 18, 2008, at 10 a.m. to conduct a hearing entitled "Protecting Personal Information: Is the Federal Government Doing Enough?"

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, June 18, 2008, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Amanda Bowman and Jasmine Narcisse of my staff be granted the privilege of the floor for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE SEEDS OF PEACE FOR ITS 15TH ANNIVERSARY

Mr. SALAZAR. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 337, which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 337) honoring the Seeds of Peace for its 15th anniversary as an organization promoting understanding, reconciliation, acceptance, coexistence, and peace in the Middle East, South Asia, and other regions of conflict.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SALAZAR. Madam President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motions to

reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the concurrent resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 337) was agreed to.

The preamble was agreed to.

HONORING ARMY SPECIALIST MONICA L. BROWN

Mr. SALAZAR. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 91, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 91) honoring Army Specialist Monica L. Brown, of Lake Jackson, Texas, extending gratitude to her and her family, and pledging continuing support for the men and women of the United States Armed Forces.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SALAZAR. Madam President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 91) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 91

Whereas Monica Brown, a medic serving in the 782nd Brigade Support Battalion, 4th Brigade Combat Team, was deployed to Afghanistan in support of Operation Enduring Freedom;

Whereas members of the United States Armed Forces were attacked by a roadside bomb in the eastern Paktia province in Afghanistan on April 25, 2007;

Whereas Specialist Monica L. Brown, at age 19, ran through insurgent gunfire to save the lives of fellow wounded soldiers injured after the roadside bomb tore through their convoy of humvees;

Whereas Monica Brown is 1 of 25,109 women currently serving in the Armed Forces in Afghanistan and Iraq, and 1 of 350,000 women serving in the United States Army;

Whereas Monica Brown is the first woman in Afghanistan and only the second female member of the Armed Forces since World War II to receive the Silver Star, the Nation's third-highest medal for valor; and

Whereas the thoughts and prayers of Congress and the people of the United States remain with the families of all the members of the Armed Forces who are fighting to ensure the Nation's freedom and safety: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) honors Monica L. Brown, a Specialist in the United States Army, who risked her life to save the lives of her fellow wounded soldiers while serving in the Global War on Terror in Afghanistan, and recognizes her for her bravery and heroism;

(2) extends its deepest gratitude to Monica L. Brown and her family in Lake Jackson, Texas; and

(3) pledges its continued support for the men and women of the United States Armed Forces.

ORDERS FOR THURSDAY, JUNE 19, 2008

Mr. SALAZAR. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m. tomorrow, Thursday, June 19; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume the motion to proceed to H.R. 6049, the Renewable Energy and Job Creation Act, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SALAZAR. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SALAZAR. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. SALAZAR. Madam President, tomorrow we expect to begin legislating on the very important housing legislation. Senators should be prepared to vote throughout the day in relation to amendments to the bill.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. SALAZAR. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:49 p.m., adjourned until Thursday, June 19, 2008, at 9:30 a.m.

NOMINATIONS

Executive nomination received by the Senate:

UNITED STATES INTERNATIONAL TRADE COMMISSION

J. V. SCHWAN, OF VIRGINIA, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR A TERM EXPIRING JUNE 16, 2017, VICE DEANNA TANNER OKUN, TERM EXPIRED.